



**AGENDA**  
**RIO DELL CITY COUNCIL**  
**CLOSED SESSION – 6:00 P.M.**  
**SPECIAL MEETING – 6:30 P.M.**  
**TUESDAY, NOVEMBER 12, 2013**  
**CITY COUNCIL CHAMBERS**  
**675 WILDWOOD AVENUE, RIO DELL**

*WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.*

**THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS**

- A. CALL TO ORDER – 6:00 p.m.
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
  - 1) 2013/1112.01 - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Consider Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: 1 Potential Case (facts and circumstances not yet known to adverse party)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENE INTO OPEN SESSION – 6:30 p.m.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE
- I. CEREMONIAL MATTERS
  - 1) 2013/11.12.02 – Proclamation in Recognition and Support of the Great American Smokeout (Sylvia Jutila will be present to accept Proclamation)

## J. PUBLIC PRESENTATIONS

*This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Councilmembers present that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.*

## K. CONSENT CALENDAR

*The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".*

- 1) 2013/1112.03 - Approve Minutes of the October 15, 2013 Regular Meeting  
(ACTION) 2
- 2) 2013/1112-04 - Approve Pay Request No. 20 to Wahlund Construction/Sequoia  
Construction Specialties in the amount of \$556,520.84 for work  
related to the Wastewater Treatment Plant Upgrade and Disposal  
Project (ACTION) 10
- 3) 2013/1112.05 - Authorize the City Manager to execute a Contract Amendment with  
Kurt Hirtzer Inspection Services extending Construction Management  
Services through December 31, 2013 for the Wastewater Treatment  
Plant Upgrade and Disposal Project (ACTION) 20
- 4) 2013/1107.06 - Budget Variance Report by Fund Type and Comparative Balance  
Sheet for the year ending June 30, 2013 (RECEIVE & FILE) 21
- 5) 2013/1112.07 - Ratify City Manager's action to approve Change Order No. 2 in the  
amount of \$3,191.33 for Sidewalk Replacement within the Wildwood  
Ave. Streetscape Improvement Project area (ACTION) 28
- 6) 2013/1112.08 - Approve modification of Employment Agreement with City Manager  
James R. Stretch (ACTION) 32
- 7) 2013/1112.09 - Approve Pay Request No. 1 in the amount of \$439,644.28 to Cal Electro  
for Wildwood Ave. Streetscape Improvement Project (ACTION) 34
- 8) 2013/1112.10 - Approve cancellation of November 19, 2013 Regular City Council  
meeting (ACTION) 39
- 9) 2013/1112.11 - Authorize the establishment of Internal Service Fund 005 titled  
Administrative Fleet (ACTION) 40

L. SPECIAL PRESENTATIONS

M. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2013/1112.12 - Determine City position on Senate Bill 405 related to phase out of Single-Use Plastic Bags in California (**ACTION**) 42
- 3) 2013/1112.13 - Conceptual Approval for Contracting with Humboldt Waste Management Authority for Recycling Program Administration (**ACTION**) 56
- 4) 2013/1112.14 - Provide City Manager direction on City Manager Recruitment (**ACTION**) 58
- 5) 2013/1112.15 - Authorize City Manager to evaluate enrollment in California Public Employees Retirement System (CalPERS) (**ACTION**) 60
- 6) 2013/1112.16 - Potential Change Order on Wastewater Treatment Plant Upgrade and Disposal Project (Drainage) (**ACTION**) 62
- 7) 2013/1112.17 - Provide staff direction on amendment of City Council meeting provisions related to meetings occurring on election day (**ACTION**) 63

N. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

O. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director
4. Community Development Director

P. COUNCIL REPORTS/COMMUNICATIONS

Q. ADJOURNMENT

*The next proposed regular meeting will be on  
December 3, 2013 at 6:30 p.m. in City Hall Council Chambers*

**PROCLAMATION**  
*In Recognition and Support of*  
**THE GREAT AMERICAN SMOKEOUT**  
*November 21, 2013*

**Whereas**, the American Cancer Society encourages all tobacco users to join the Great American Smokeout and quit nicotine for at least one day; and

**Whereas**, tobacco-use remains the leading preventable cause of death in the United States; and

**Whereas**, electronic cigarettes are a relatively new way to introduce nicotine into the human body by vaporizing liquid that often contains un-regulated levels of nicotine; and

**Whereas**, electronic cigarette nicotine cartridges come in fruit and candy flavors – such as chocolate, gummy bear and bubble gum- that appeal to youth and may lure a new generation into nicotine addiction; and

**Whereas**, Food and Drug Administration testing of leading electronic cigarette brands found detectable levels of potentially harmful compounds (including diethylene glycol and nitrosamines); and

**Whereas**, electronic cigarette marketing has confused the public with claims that electronic cigarettes can help people quit smoking and that they can be smoked anywhere; and

**Whereas**, there is no scientific evidence or evaluative studies that prove that electronic cigarettes help people quit; and

**Whereas**, many countries, states and local jurisdictions have already completely banned electronic cigarettes, or strictly regulate them; and

**Whereas**, there are many proven resources, many of them free, to help nicotine users quit.

**NOW, THEREFORE, BE IT PROCLAIMED** that the City Council of the City of Rio Dell hereby recognizes and supports the American Cancer Society's GREAT AMERICAN SMOKEOUT, on November 21, 2013 in the City of Rio Dell and encourages all citizens who smoke, or use chew/dip tobacco, to demonstrate to themselves and their children that they can quit using tobacco by joining the American Cancer Society's Great American Smokeout.

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Date

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Jack Thompson, Mayor

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
OCTOBER 15, 2013  
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Thompson.

**ROLL CALL:** Present: Mayor Thompson, Councilmembers Johnson, Marks, and Wilson

Absent: Councilmember Woodall (excused)

Others Present: City Manager Stretch, Finance Director Beauchaine, Community Development Director Caldwell and City Clerk Dunham

**PUBLIC PRESENTATIONS**

Karen Chase, 480 Edwards Dr. addressed the Council once again about the destruction of the river bar and presented several pictures and a letter urging the City Council to close the river bar to all off road vehicles. She maintained that off road vehicles kill animals, create noise and destroy the natural habitat that animals rely on. She went on to read a quote taken from an article titled: *Wreckreation: All-Terrain Vehicles and their Impact on the Environment* which stated: *"Streams are especially vulnerable to pollution by ORV's as these vehicle tend to ford streams without any thought of the pollution to the water they pass through. Wetlands are disrupted by jet skis, and ORV's increase sediment and toxic chemicals from fluids in ATV's contacting of water. Studies also suggest that watersheds with ORV trails through them have higher percentages of sands."* She commented that this article was of particular interest to her since the City relies on the river for its' drinking water.

Mike Chase referred to the last picture presented and pointed out that rock is being hauled off of the river bar.

Bert Silva, 1155 Eeloa Ave. said he grew up in Scotia and now owns his home in Rio Dell and that the river bar has always been a place to recreate and take your kids to ride ATV's, fish, swim or even site in your rifles and now the only access to the river bar is at Edwards Dr. He said the rights of the majority of our citizens are being taken away because of a few people causing the destruction and suggested surveillance cameras be installed at the entrances to eliminate the problem. He said some of the people complaining live by the river but living by the river bar means hearing the sounds of recreation. He commented that it is ludicrous to say that ATV's are destroying the river bar because each year when the river rises the tracks are washed away. He stated that shutting off access to the river bar is like locking citizens out of their own back door. He added that the concerns with regard to destruction should be addressed but to deny the rights of so many people is over the top. He said being able to enjoy the natural surroundings of the river and bluffs is why so many people choose to live here and those rights should not be taken away.

## CONSENT CALENDAR

Motion was made by Marks/Johnson to approve the consent calendar including the approval of minutes of the October 1, 2013 regular meeting; and approval of Pay Request No. 1 in the amount of \$87,836.05 to SJL Construction for work related to the Davis Street and Wildwood Avenue Safe Routes to School Project. Motion carried 4-0.

## SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

### Approve Change Order No. 9 Related to the Wastewater Treatment Plant Upgrade and Disposal Project in the Amount of -\$7,000.55

Finance Director Beauchaine provided a staff report and said Change Order No. 9 includes \$15,154.05 in additional items as well as \$22,163.60 in credits for deletion of unnecessary project components resulting in an overall credit of \$7,009.55. She explained the credits include deletion of both 8 inch and 6 inch piping at the treatment plant, deletion of saw cuts at the chlorine contact basin, deletion of the fiberglass shelter, slab and chemical metering equipment and deletion of a 14 inch plug valve. She said additions include installation of transducer wiring from the contact basin to the SCADA panel, exterior painting of the operations building, floor leveling, and installation of vinyl flooring and acid stain in the new operations building, repair of dry rot on the overhangs of the operations building, installation of a trench drain at the dewatering building, and the removal and replacement of concrete curb.

Finance Director Beauchaine stated the change order also requests a 27 day extension to Wahlund Construction's contract for completion of the effluent pipeline construction and tie-in. She said the reason for the additional time is due to the 30-day delay at the State Lands Commission which caused scheduling conflicts with the drilling sub-contractor, and construction difficulties with the pipeline casing.

Councilmember Johnson said it appears we are granting Wahlund Construction an extension of 5 additional working days due to an error caused by the sub-contractor with regard to welds in the casing.

Finance Director Beauchaine explained that her understanding is that the weld in the casing separated because when they were dragging the pipe in they encountered rock much sooner than anticipated and the impact cracked the weld. She said the issue was unforeseeable. Also, there were certain geological assumptions made where levels of soil would begin but because there wasn't an exact sloping they did not know where they would be encountering rocks.

Councilmember Johnson commented that it seems the drilling contractor would know by their rate of production what kind of materials they are going through.

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Richard Behrens, Construction Manager said the process that has just been completed is not a boring process but driving of the casing and that he has observed the techniques of welding between each section of pipe and it is unknown as to why the weld failed. He stated the contractor put in a whole new casing and noted that part of the delay is due to permitting.

Councilmember Johnson said he doesn't have a problem with the permitting delay; it is the 1 week extension for the weld in the casing, and why the City is giving an extension. He asked if the contract provides for an automatic extension when something like this happens.

Finance Beauchaine referred to Article 12 of the General Conditions which states that if there is a delay beyond the control of the contractor that interferes with the performance of the contract, the contractor is entitled to an equitable adjustment in either price or time.

Councilmember Wilson asked if there are additional costs associated with the extension of the project completion date. Finance Director Beauchaine commented there is no additional cost since the contractor is paying for the additional materials.

Councilmember Johnson said with horizontal boring you typically run an auger through and jack the pipe through each section and asked if that was the method used. Richard Behrens said because it involves CalTrans property, they require a pilot casing and another pilot pipe gets installed from there.

Councilmember Johnson said as he recalls from the State Lands Commission, everything will be contained within a 20 foot wide section and the channel is going to be down 60 feet. Mr. Behrens confirmed that he was correct.

Councilmember Wilson asked if it is anticipated the work will be completed within the time allotted. Mr. Behrens said there is no reason to believe that it won't be and said Gonzales Boring and Tunneling, Inc., sub-contractor to Apex Drilling just completed the second set of pipe.

City Manager Stretch commented that he felt the request for 5 additional days for completion of the project is reasonable and justified under Article 12 of the General Conditions as it is an unforeseen event and not the contractor's fault.

Councilmember Johnson then questioned liquidated damages in which Finance Director Beauchaine said she would have to look that up and report back.

Councilmember Marks stated she was reluctant to eliminate the PH monitor since we never know what we are going to have in the future as far as industry in Rio Dell. She said she would like to have an official opinion if this is the right way to go. Also, we may not need the PH monitor now but who's to say we won't need it in 6 months.

Finance Director Beauchaine stated that she had an extensive conversation with Wastewater Superintendent Chicora and he explained that before construction of the new wastewater treatment plant, he had concerns with regard to the PH levels so a component had to be added to adjust the PH to meet current standards. He said initially it was expected that the City would need to monitor and adjust PH; however, since the effluent quality has improved significantly with the installation of the new treatment plant, that component is no longer needed. She noted that should something such as brewery come in, they would be required to pre-treat anything that entered into the system anyway.

Councilmember Wilson asked what the cost savings was for elimination of this component. Finance Director Beauchaine explained the savings was \$11,030.85.

Motion was made by Johnson/Wilson to approve Change Order No. 9 in the amount of -\$7009.55 for work related to the Wastewater Treatment Plant Upgrade and Disposal Project. Motion carried 4-0.

#### **ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

##### Approve Resolution No. 1212-2013 Approving and Adopting the Open Space and Conservation Element of the General Plan

Community Development Director Caldwell provided a staff report and said what is being presented is the Draft Open Space and Conservation Element as a combined document. He said the current Open Space Element was adopted in 1972, and the Conservation Element in 2001 although it does not meet current standards.

Community Development Director Caldwell stated the State identifies what has to be addressed in this document and said the primary vision of the Open Space and Conservation Element is to maintain and encourage development that compliments the natural visual setting of the City. He said the Conservation Element guides the conservation, development, and utilization of natural resources such as water, forests, soils, rivers, mineral deposits, and others which the Open Space Element guides the comprehensive and long-range preservation and conservation of open space lands including parks. He noted that the Quimby Act sets the ratio for providing adequate open space for outdoor recreation which is 5 acres of parklands for every 1,000 residents. He said currently the City has approximately 12-13 acres of parkland but should have around 17.5 acres.

Community Development Director Caldwell stated in 2009 the City adopted Parkland Dedication Fees for all residential planned development projects and the Planning Commission will be considering an amendment to those regulations so that they apply to all residential subdivisions, rather than just planned developments. He said the fees may be used for parkland acquisition and development.



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Next were review of Archeological Resources; Historic Buildings; Cultural Resources; Open Space for Public Health and Safety; Geologic/Seismic Hazards; Flood Hazards; Hydrology and Water Resources; Air Resources; and Energy Resources.

Community Development Director Caldwell commented that energy consumption has increased significantly in Rio Dell since 2001 and said the City of Arcata has actually imposed a use tax on the excess electricity usage.

Councilmember Marks asked staff to define again “preservation of natural resources.” She said when she read this the first thing that came to mind is the Riverwalk along the Eel River in Fortuna and asked if by adopting this Element if we will be restricting development near the river.

Community Development Director Caldwell explained at the next Planning Commission meeting, the Commission will be considering the establishment of Environmentally Sensitive Habitat regulations and one of the things included in that ordinance is that within these streamside management areas is that trails be allowed as a permitted use. He explained that development within streamside management areas shall have setback requirements of 25 feet from riparian vegetation, and 50 feet from the stream transition line on either side of perennial streams. He noted that Department of Fish & Game and Department of Fish & Wildlife will have input on any proposed development. He referred to the Micheli property on Blue Slide Road that is currently for sale and said he encouraged the potential buyer to contact Fish & Game and the recommendation from Fish & Game is that there be a 150 foot setback from the edge of riparian vegetation and a 100 foot setback from the pond that Mr. Micheli installed which greatly restricts development of that parcel. He explained what the City is recommending, is something less that will allow development and at the same time protect riparian habitat.

Councilmember Wilson questioned whether the Open Space Element is primarily aimed at new development or if it applies to existing development as well. He said this document basically says the City must protect its resources and at the same time we have citizens addressing the Council regarding river bar access. Also, the document allows for gravel operations on the river yet there are concerns expressed about the effects of sediment. He said there are things in the document that should be carefully considered regarding how we are going to protect the City’s resources and at the same time, not take away the rights of citizens to enjoy the river bar.

Community Development Director said there will undoubtedly be projects that come up where the applicant will want to reduce the setback requirements and where there will be competing policies but the idea is to find a balance.

Councilmember Johnson commented on in stream gravel mining operations, and said he is not entirely sure we want to encourage mining operations from bridge to bridge. He said he has spent a lot of time in that area and we certainly don’t want to mine where bedrock formations exist.

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Community Development Director stated that mining will not be allowed in those areas and pointed out that there used to be a channel which is no longer apparent. He commented that either he or the Planning Commission wants to slam the door on gravel operations.

Councilmember Marks asked if there is a home that needs to be rebuilt due to fire that is located within an environmentally sensitive area if there will be a problem rebuilding.

Community Development Caldwell stated there would probably not be a problem but they may be required to have a qualified biologist verify that the project will have no adverse effect on the environment.

Councilmember Marks referred to the review of Building Permits in regard to the preservation and enhancement of structures built prior to 1960 and asked how this will impact some of these homes.

Community Development Director Caldwell said there should be no impact unless the applicant is proposing major architectural changes.

Motion was made by Wilson to approve *Resolution No. 1212-2013 Approving and Adopting the Open Space and Conservation Element of the General Plan.*

Mayor Thompson called for a second to the motion on the floor.

Councilmember Marks asked what will happen if someone comes to the City and has questions about gravel operations on the river bar. Community Development Director Caldwell explained if the Open Space and Conservation Element is adopted, it becomes policy. He said although the Element encourages gravel operations, there is a program EIR on the Eel River and any gravel operations must be consistent with that EIR.

Councilmember Marks then seconded the motion. Motion carried 3-1; Councilmember Johnson casting the dissenting vote.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Stretch reported on recent activities and events and said the City's grant application for a non-motorized trail plan was not approved this funding cycle and said he will be reaching out to see how the application scored so we will be ready to re-submit during the next cycle; said he received a letter addressed to the City Council from Senator Alex Padilla asking for support of SB405 which would phase out single-use plastic bags in California, and asked council members if they wanted the item placed on the next agenda for consideration (council members agreed to place the matter on the November 7<sup>th</sup> agenda); reported on the acquisition of a new Nissan Altima admin vehicle which he was able to acquire at \$1,300 under the budgeted

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amount and said staff will be setting up a mileage log so the appropriate departments are charged accordingly.

Councilmember Marks asked if he will be encouraging staff to use the vehicle for work related trips. City Manager Stretch said that is the idea since the vehicle is estimated at 38MPG and the current I.R.S. mileage reimbursement rate is 56.5 cents per mile for use of personal vehicles. He pointed out that in the event of an accident while an employee is driving their own vehicle on City business; their auto insurance is the primary coverage.

Councilmember Johnson asked if the Wildwood Avenue Streetscape Improvement Project is on time and budget. City Manager Stretch reported it is and there may even be a savings of around \$3,000. He reported that 1 of the median trees had to be replaced and several of the shrubs arrived in poor condition. Also, the grass (sod) arrived brown and dry and had to be returned.

Councilmember Johnson questioned the status on installation of the town clock. City Manager Stretch commented that the clock was delivered but was uncertain of the exact date for installation.

Finance Director Beauchaine reported on recent activities in the finance department and said there is a lot going on with year-end reporting and preparation for the upcoming audit.

Councilmember Marks asked if staff had the opportunity to contact US Bank to negotiate the fee for returned checks. Finance Director Beauchaine commented that she had discussed the matter with the bank and apparently there was a misunderstanding and that the City will be charged \$6.00 for returned checks rather than \$36.00.

Community Development Director Caldwell reported on recent planning activities and said on the next Planning Commission agenda will be an amendment to Parking regulations; amendment to Design Review regulations; Parkland Dedication regulations; and establishment of Environmentally Sensitive Habitat area regulations. He also reported that he hopes to have the Draft Safety Element on the November Planning Commission agenda.

Councilmember Wilson asked what constitutes a detached accessory building in regard to design review. Community Development Director Caldwell explained accessory buildings that do not exceed 120 square feet do not require a building permit, and that design review does not apply to residential structures; just commercial detached accessory structures.

Councilmember Marks asked if it would be possible to have the Wastewater Superintendent provide the Council with a report on PH monitoring.

Councilmember Johnson asked to be excused from the next regular meeting as he will be out of town.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:37 p.m. to the November 7, 2013 regular meeting.

\_\_\_\_\_  
Jack Thompson, Mayor

Attest:

\_\_\_\_\_  
Karen Dunham, City Clerk

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675 Wildwood Avenue  
Rio Dell, CA 95562



TO: Mayor and Members of the City Council  
THROUGH: Jim Stretch, City Manager  
FROM: Stephanie Beauchaine, Finance Director *SB*  
DATE: November 7, 2013  
SUBJECT: Wahlund/Sequoia Construction Pay Request #20

#### **RECOMMENDATION**

Approve Pay Request

#### **BUDGETARY IMPACT**

Pay Request #20 in the amount of \$556,520.84 will be funded through the State Water Resources Control Board (SWRCB) financing agreement project number C-06-7401-110 totaling \$12,980,859.

#### **BACKGROUND AND DISCUSSION**

The work subject to this pay request is primarily related to the horizontal drilling of the WWTP effluent disposal line under the Eel River, and completion of the operations buildings at the public works corporation yard.

Pay Request #20 has been approved for payment by the City's Construction Manager and City Manager.

BEHRENS CONSTRUCTION AND INSPECTION SERVICES  
170 South Bank Chetco River Road  
Brookings, OR 97415-8288

(707) 696-4650  
rbehrens@rbehrens.org

To: Rio Dell City Council  
Jim Stretch, City Manager  
Stephanie Beauchaine, Finance Director  
Rick Chicora, Wastewater Superintendent

From: Richard Behrens, Construction Manager

Date: 10/31/2013

Project Name: **Wastewater Treatment Plant Upgrade and Disposal Project**

The WWTP project is now into the twentieth month of progress. The contractor has completed all phases of the bio-tank processes, the Chlorine Contact Basin and Effluent Pumping Station. The Aqua Sierra control system is installed and operational. Work is nearing completion the disposal site. The transmission line is complete from the river crossing to the treatment plant and pavement patching is nearly complete. The Therma-Flite sludge dryer system has been completed. Underground piping and valves have been installed and the plant switchover is complete and in operation. The Blower Building is complete and in operation. Electrical/mechanical systems are nearly complete and cut-over of existing electrical systems is completed. Construction of the new Operations Building is nearing completion and is being occupied by staff. Demolition of existing process piping and pumps is nearly complete. The under-river transmission line has been bored and the reaming process has started, to be followed by the pulling of the transmission line. The Jack and Bore process under the northbound lanes of Hwy 101 has begun. Wahlund has provided, at no cost, the leaching pond which was used during the summer months awaiting the completion of the under-river transmission line.

Progress Payment Request No. 20 is attached. This pay request is based on the bid schedule breakdown provided by the contractor, Wahlund Construction, Inc./ Sequoia Construction Specialties, and the actual quantities of work completed and materials delivered to site.

There have been nine approved Change Orders completed to date, totaling an amount of \$138,531.42. The adjusted contract amount to date is \$10,769,531.42. The total billed (net amount) thru Progress Pay Request No. 20, less retainer, is \$9,327,202.29.

I recommend payment to Wahlund Construction, Inc./ Sequoia Construction Specialties for Progress Pay Request No. 20 in the amount of \$556,520.84, that also takes into account a 5% retention. Payment to the contractors is due within 20 days of receipt of each Application for Payment. Progress Payment Request No. 20 was approved 10/31/2013.

cc:

Craig Olson, HDR Inc.

Bret Rinehart, Wahlund Construction, Inc.

Brian Pritchard, Sequoia Construction Specialties

**Progress Payment Summary**

Owner: City of Rio Dell  
Project Title: Rio Dell Wastewater Treatment Plant  
Upgrade and Disposal

Job #: 24-11  
Payment #: 20  
Period Ending: 31-Oct-13

**1. Analysis of Authorized Contract Amount to Date**

a. Authorized Contract Work Amount	\$ 10,631,000.00
b. Total Change Orders Work Amount	\$ 138,531.42
<b>c. Adjusted Contract Amount to Date</b>	<b>\$ 10,769,531.42</b>

**2. Analysis of Work Performed**

a. Contract and Change Orders Performed to Date	\$ 9,818,107.67
b. Retainer, 5%	\$ 490,905.38
c. Net Contract Work to Date	\$ 9,327,202.29
d. Previous Billed	\$ 8,770,681.45
<b>e. Balance Due This Period</b>	<b>\$ 556,520.84</b>

**3. Certification of Contractor**

According to the best of my knowledge and belief, I certify that all items and amounts shown on the Schedule of Values are correct; that all work has been performed and/or material supplied in full accordance with the requirements of the referenced Contract, and/or duly authorized deviations, substitutions, alterations, and/or additions.

All previous progress payments received on account of the Work have been applied on account to discharge Contractor's legitimate obligations associated with prior Applications for Payment.

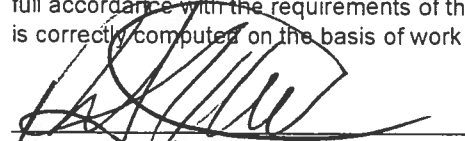
Wahlund Construction, Inc.,/  
Sequoia Construction Specialties  
Contractor

*Ken Wahlund*  
Authorized Representative

Date: 10/25/2013 Title: Joint Venture Administrator


**4. Certification of Construction Manager**

I certify that I have checked and verified the above and foregoing Schedule of Values; that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the Contractor; that all work and/or material included in this Progress Payment Summary has been inspected by me and/or my duly authorized representative or assistants and that it has been performed and/or supplied in full accordance with the requirements of the referenced contract; and that the payment due to the Contractor is correctly computed on the basis of work performed and/or material supplied to date.

  
Construction Manager

Date: 10/31/2013

**5. Approval for Payment**

  
City Manager

Date: 10-31-13

10/28/2013



**WAHLUND CONSTRUCTION, INC./  
SEQUOIA CONSTRUCTION SPECIALTIES**

*A Joint Venture*

License No. 855811

Eureka Office: 707-268-0150 Fax 707-268-0137

**Rio Dell Wastewater Treatment  
Plant Upgrade and Disposal Project  
HDR Project No. 152932**

To City of Rio Dell

675 Wildwood Avenue

Rio Dell, California 95562

Pay Request No. 20

Period Ending: 10/31/13

Item	Description of Item	Qty	Unit	Unit Cost	Total Cost	Previous		This Period		Total To Date	
						Qty	\$	Qty	\$	Qty	\$
1	Bid Item 1 Sheeting, shoring and bracing or equivalent method conforming to applicable safety order		LS	\$ 5,000.00	\$ 5,000.00	100%	\$ 5,000.00	0%	\$ -	100%	\$ 5,000.00
		Bid Item 1 Total					\$ 5,000.00		\$ -		\$ 5,000.00
2	Bid Item 2 Over-excavation and disposal of undesirable material and compaction of fill material under biological treatment facility as defined in Section 02200 of the specifications.										
		2,500	CY	35.00	\$ 87,500.00	2,500	\$ 87,500.00	0	\$ -	2,500	\$ -
		Bid Item 2 Total					\$ 87,500.00		\$ -		\$ -
3	Bid Item 3 14-inch recycled water pipeline from Station 1+50 (+/-) to Station 101+50 (+/-), including all appurtenances as required to complete work.										
		10,000	LF	108.00	\$ 1,080,000.00	10,000	\$ 1,080,000.00				
		Bid Item 3 Total					\$ 1,080,000.00				
4	Bid Item 4										
4.1	Surveying & Engineering Design	1	LS	\$ 68,250.00	\$ 68,250.00	90%	\$ 61,425.00	10%	\$ 6,825.00	100%	\$ 68,250.00
4.2	Geotechnical Report	1	LS	\$ 42,525.00	\$ 42,525.00	100%	\$ 42,525.00	0%	\$ -	100%	\$ 42,525.00
4.3	SLC Lease, SEIR, Permitting, Calcs, CEQA Plus, etc.	1	LS	\$ 71,000.00	\$ 71,000.00	100%	\$ 71,000.00	0%	\$ -	100%	\$ 71,000.00
4.4	Construction Administration	1	LS	\$ 58,800.00	\$ 58,800.00	25%	\$ 14,700.00	25%	\$ 14,700.00	50%	\$ 29,400.00
4.5	Open Cut Casing & Pipe Installation	1	LS	\$ 241,000.00	\$ 241,000.00	0%	\$ -	0%	\$ -	0%	\$ -
4.6	Jack & Bore Casing & Pipe Installation	1	LS	\$ 149,000.00	\$ 149,000.00	0%	\$ -	25%	\$ 37,250.00	25%	\$ 37,250.00
4.7	HDD Piping Installation	1	LS	\$ 869,425.00	\$ 869,425.00	0%	\$ -	50%	\$ 434,712.50	50%	\$ 434,712.50
		Bid Item 4 Total					\$ 189,650.00		\$ 493,487.50		\$ 493,487.50
5	Bid Item 5										
	All work at disposal site on north side of Eel River outside of Caltrans right-of-way.										
5.1	Site Clearing	1	LS	\$ 15,000.00	\$ 15,000.00	100%	\$ 15,000.00	0%	\$ -	100%	\$ 15,000.00
5.2	Earthwork	1	LS	\$ 289,475.00	\$ 289,475.00	100%	\$ 289,475.00	0%	\$ -	100%	\$ 289,475.00
5.3	Distribution and Turnout Boxes	1	LS	\$ 15,000.00	\$ 15,000.00	100%	\$ 15,000.00	0%	\$ -	100%	\$ 15,000.00
5.4	Precast Concrete Pump Station	1	LS	\$ 28,000.00	\$ 28,000.00	100%	\$ 28,000.00	0%	\$ -	100%	\$ 28,000.00

5.5	Pump Station Base & Equipment Pad	1	LS	\$ 6,825.00	\$ 6,825.00	100%	\$ 6,825.00	0%	\$ -	100%	\$ 6,825.00
5.6	Overflow Valve Concrete Pads	1	LS	\$ 20,475.00	\$ 20,475.00	100%	\$ 20,475.00	0%	\$ -	100%	\$ 20,475.00
5.7	Hydroseeding	1	LS	\$ 54,059.25	\$ 54,059.25	100%	\$ 54,059.25	0%	\$ -	100%	\$ 54,059.25
5.8	Submersible Non-Clog Tailwater Pumps	1	LS	\$ 32,386.10	\$ 32,386.10	100%	\$ 32,386.10	0%	\$ -	100%	\$ 32,386.10
5.9	REW Piping	1	LS	\$ 150,000.00	\$ 150,000.00	97.81%	\$ 146,717.52	0.00%	\$ -	97.81%	\$ 146,717.52
5.10	DFD Piping	1	LS	\$ 145,000.00	\$ 145,000.00	100%	\$ 145,000.00	0%	\$ -	100%	\$ 145,000.00
5.11	Tailwater Pump Piping - Material	1	LS	\$ 20,002.50	\$ 20,002.50	100%	\$ 20,002.50	0%	\$ -	100%	\$ 20,002.50
5.12	Tailwater Pump Piping - Labor	1	LS	\$ 7,381.50	\$ 7,381.50	100%	\$ 7,381.50	0%	\$ -	100%	\$ 7,381.50
5.13	Tailwater Pump Installation per D04	1	LS	\$ 6,460.65	\$ 6,460.65	100%	\$ 6,460.65	0%	\$ -	100%	\$ 6,460.65
5.14	HDG Bar Grating 2x per 1/D03	1	LS	\$ 2,625.00	\$ 2,625.00	100%	\$ 2,625.00	0%	\$ -	100%	\$ 2,625.00
5.15	PVC Sillling Well per D04	1	LS	\$ 2,310.00	\$ 2,310.00	100%	\$ 2,310.00	0%	\$ -	100%	\$ 2,310.00
				Bid Item 5 Total			\$ 795,000.00				\$ 791,717.52
6	Bid Item 6										
				All work as required per the MMRP as outlined in Specification Section 01560.							
7	Bid Item 7										
				Storm Water Pollution Prevention Plan and Implementation per Specification Section 02271.							
8	Bid Item 8										
				All other work as indicated on the project plans and defined in the project specifications.							
8.1	Bidding Requirements										
8.1.1	Performance & Payment Bond	1	LS	\$ 82,000.00	\$ 82,000.00	100%	\$ 82,000.00	0%	\$ -	100%	\$ 82,000.00
8.1.2	Insurance	1	LS	\$ 88,000.00	\$ 88,000.00	100%	\$ 88,000.00	0%	\$ -	100%	\$ 88,000.00
				Bidding Requirements Total			\$ 170,000.00				\$ 170,000.00
8.2	General Requirements										
8.2.1	Mobilization	1	LS	\$ 156,250.00	\$ 156,250.00	100%	\$ 156,250.00	0%	\$ -	100%	\$ 156,250.00
8.2.2	Demobilization	1	LS	\$ 25,000.00	\$ 25,000.00	0%	\$ -	0%	\$ -	0%	\$ -
8.2.3	Plumbing Mobilization	1	LS	\$ 21,000.00	\$ 21,000.00	100%	\$ 21,000.00	0%	\$ -	100%	\$ 21,000.00
8.2.4	Field Engineering & Surveying	1	LS	\$ 10,000.00	\$ 10,000.00	99%	\$ 9,900.00	1%	\$ 100.00	100%	\$ 10,000.00
8.2.5	Administration Requirements	1	LS	\$ 252,000.00	\$ 252,000.00	100%	\$ 252,000.00	0%	\$ -	100%	\$ 252,000.00
8.2.6	Construction Schedules	1	LS	\$ 2,000.00	\$ 2,000.00	99%	\$ 1,980.00	1%	\$ 20.00	100%	\$ 2,000.00
8.2.7	Submittals	1	LS	\$ 18,000.00	\$ 18,000.00	99%	\$ 17,820.00	1%	\$ 180.00	100%	\$ 18,000.00
8.2.8	Temporary Offices, Sanitation, etc.	1	LS	\$ 54,000.00	\$ 54,000.00	100%	\$ 54,000.00	0%	\$ -	100%	\$ 54,000.00
8.2.9	Project Sign	1	LS	\$ 1,500.00	\$ 1,500.00	100%	\$ 1,500.00	0%	\$ -	100%	\$ 1,500.00
8.2.10	Construction Photographs	1	LS	\$ 500.00	\$ 500.00	100%	\$ 500.00	0%	\$ -	100%	\$ 500.00
				General Requirements Total			\$ 514,950.00		\$ 300.00		\$ 515,250.00
8.3	WWTP Sitework										
8.3.1	Sludge Drying Bed Demolition	1	LS	\$ 45,750.00	\$ 45,750.00	100%	\$ 45,750.00	0%	\$ -	100%	\$ 45,750.00
8.3.2	Misc. Existing Tanks & Buildings Demolition	1	LS	\$ 18,459.00	\$ 18,459.00	100%	\$ 18,459.00	0%	\$ -	100%	\$ 18,459.00
8.3.3	Staging Area Earthwork & Grading	1	LS	\$ 25,000.00	\$ 25,000.00	100%	\$ 25,000.00	0%	\$ -	100%	\$ 25,000.00
8.3.4	Staging Area Temporary Fencing	1	LS	\$ 1,500.00	\$ 1,500.00	100%	\$ 1,500.00	0%	\$ -	100%	\$ 1,500.00

8.3.5	Hot Mix Asphalt Paving	1	LS	\$ 38,287.20	\$ 38,287.20	20%	\$ 7,657.44	0%	\$ -	20%	\$ 7,657.44
8.3.6	Canopy Slab @ CL2 Bldg	1	LS	\$ 5,250.00	\$ 5,250.00	100%	\$ 5,250.00	0%	\$ -	100%	\$ 5,250.00
8.3.7	Canopy Slab @ Ops Bldg	1	LS	\$ 7,350.00	\$ 7,350.00	100%	\$ 7,350.00	0%	\$ -	100%	\$ 7,350.00
8.3.8	Generator Slab	1	LS	\$ 13,125.00	\$ 13,125.00	100%	\$ 13,125.00	0%	\$ -	100%	\$ 13,125.00
8.3.9	CL2 Mixer Concrete Repair	1	LS	\$ 4,200.00	\$ 4,200.00	0%	\$ -	100%	\$ 4,200.00	100%	\$ 4,200.00
8.3.10	Chem Storage Slab	1	LS	\$ 4,200.00	\$ 4,200.00	0%	\$ -	100%	\$ 4,200.00	100%	\$ 4,200.00
8.3.11	3 Steel Canopies	1	LS	\$ 36,163.05	\$ 36,163.05	100%	\$ 36,163.05	0%	\$ -	100%	\$ 36,163.05
8.3.12	3 Bollards per C02	1	LS	\$ 2,702.70	\$ 2,702.70	100%	\$ 2,702.70	0%	\$ -	100%	\$ 2,702.70
8.3.13	Static Mixer & Chlorine Injection Precast Vault	1	LS	\$ 16,500.00	\$ 16,500.00	100%	\$ 16,500.00	0%	\$ -	100%	\$ 16,500.00
8.3.14	Existing Control Room Door	1	LS	\$ 12,600.00	\$ 12,600.00	100%	\$ 12,600.00	0%	\$ -	100%	\$ 12,600.00
8.3.15	Existing Control Room Roof	1	LS	\$ 22,575.00	\$ 22,575.00	100%	\$ 22,575.00	0%	\$ -	100%	\$ 22,575.00
				WWTP Sitework Total			\$ 214,632.19		\$ 8,400.00		\$ 223,032.19
8.4	Yard Piping										
8.4.1	12" Effluent Piping	1	LS	\$ 60,000.00	\$ 60,000.00	100%	\$ 60,000.00	0%	\$ -	100%	\$ 60,000.00
8.4.2	12" Influent Piping	1	LS	\$ 50,000.00	\$ 50,000.00	100%	\$ 50,000.00	0%	\$ -	100%	\$ 50,000.00
8.4.3	6" Sludge Piping	1	LS	\$ 25,000.00	\$ 25,000.00	50%	\$ 12,500.00	50%	\$ 12,500.00	100%	\$ 25,000.00
8.4.4	8" Backwash Piping	1	LS	\$ 30,000.00	\$ 30,000.00	3.47%	\$ 1,041.40	96.53%	\$ 28,958.60	100.00%	\$ 30,000.00
8.4.5	Misc. Underground Piping, Tie-Ins, Demo, Etc.	1	LS	\$ 10,000.00	\$ 10,000.00	100%	\$ 10,000.00	0%	\$ -	100%	\$ 10,000.00
8.4.6	Static Mixer & Chlorine Injection Vault Piping - Material	1	LS	\$ 3,339.00	\$ 3,339.00	100%	\$ 3,339.00	0%	\$ -	100%	\$ 3,339.00
8.4.7	Static Mixer & Chlorine Injection Vault Piping - Labor	1	LS	\$ 1,443.75	\$ 1,443.75	100%	\$ 1,443.75	0%	\$ -	100%	\$ 1,443.75
				Yard Piping Total			\$ 138,324.15		\$ 41,458.60		\$ 179,782.75
8.5	Headworks										
8.5.1	Influent Pump Installation per SP10	1	LS	\$ 6,460.65	\$ 6,460.65	100%	\$ 6,460.65	0%	\$ -	100%	\$ 6,460.65
8.5.2	Grating Support Channel and New Grating per SP10	1	LS	\$ 5,537.70	\$ 5,537.70	100%	\$ 5,537.70	0%	\$ -	100%	\$ 5,537.70
8.5.3	Headworks Pump Piping - Material	1	LS	\$ 20,002.50	\$ 20,002.50	100%	\$ 20,002.50	0%	\$ -	100%	\$ 20,002.50
8.5.4	Headworks Pump Piping - Labor	1	LS	\$ 7,381.50	\$ 7,381.50	100%	\$ 7,381.50	0%	\$ -	100%	\$ 7,381.50
				Headworks Total			\$ 39,382.35		\$ -		\$ 39,382.35
8.6	Biological Treatment Facility										
8.6.1	Excavation	1	LS	\$ 75,000.00	\$ 75,000.00	100%	\$ 75,000.00	0%	\$ -	100%	\$ 75,000.00
8.6.2	Subgrade & Base Rock	1	LS	\$ 25,000.00	\$ 25,000.00	100%	\$ 25,000.00	0%	\$ -	100%	\$ 25,000.00
8.6.3	Tank Slab Form & Pour	1	LS	\$ 262,500.00	\$ 262,500.00	100%	\$ 262,500.00	0%	\$ -	100%	\$ 262,500.00
8.6.4	Tank Slab Rebar	1	LS	\$ 330,750.00	\$ 330,750.00	100%	\$ 330,750.00	0%	\$ -	100%	\$ 330,750.00
8.6.5	Tank Walls Form & Pour	1	LS	\$ 682,500.00	\$ 682,500.00	100%	\$ 682,500.00	0%	\$ -	100%	\$ 682,500.00
8.6.6	Tank Walls Rebar	1	LS	\$ 309,750.00	\$ 309,750.00	100%	\$ 309,750.00	0%	\$ -	100%	\$ 309,750.00
8.6.7	Sloped Fills	1	LS	\$ 52,500.00	\$ 52,500.00	100%	\$ 52,500.00	0%	\$ -	100%	\$ 52,500.00
8.6.8	Backfill	1	LS	\$ 7,500.00	\$ 7,500.00	100%	\$ 7,500.00	0%	\$ -	100%	\$ 7,500.00
8.6.9	Aluminum Stair with Railing	1	LS	\$ 20,245.05	\$ 20,245.05	100%	\$ 20,245.05	0%	\$ -	100%	\$ 20,245.05
8.6.10	AeroMod Equipment Installation	1	LS	\$ 203,054.25	\$ 203,054.25	100%	\$ 203,054.25	0%	\$ -	100%	\$ 203,054.25
8.6.11	Pipe Connections Bio Treatment 12"NFP, 12"EFF, 8"LPA & 4"LPA - SP01 & SP02 - Material	1	LS	\$ 28,407.75	\$ 28,407.75	100%	\$ 28,407.75	0%	\$ -	100%	\$ 28,407.75
8.6.12	Pipe Connections Bio Treatment 12"NFP, 12"EFF, 8"LPA & 4"LPA - SP01 & SP02 - Labor	1	LS	\$ 23,404.50	\$ 23,404.50	100%	\$ 23,404.50	0%	\$ -	100%	\$ 23,404.50
8.6.13	Selector Tank Piping - Material	1	LS	\$ 819.00	\$ 819.00	100%	\$ 819.00	0%	\$ -	100%	\$ 819.00
8.6.14	Selector Tank Piping - Labor	1	LS	\$ 3,601.50	\$ 3,601.50	100%	\$ 3,601.50	0%	\$ -	100%	\$ 3,601.50

8.6.15	Conduit and Pneumatic Systems - Material	1	LS	\$	1,312.50	\$	1,312.50	100%	\$	1,312.50	0%	\$	-	100%	\$	1,312.50
8.6.16	Conduit and Pneumatic Systems - Labor	1	LS	\$	8,100.75	\$	8,100.75	100%	\$	8,100.75	0%	\$	-	100%	\$	8,100.75
8.6.17	Aeration Tank Piping - Material	1	LS	\$	8,111.25	\$	8,111.25	100%	\$	8,111.25	0%	\$	-	100%	\$	8,111.25
8.6.18	Aeration Tank Piping - Labor	1	LS	\$	20,160.00	\$	20,160.00	100%	\$	20,160.00	0%	\$	-	100%	\$	20,160.00
8.6.19	Clarifier Piping - Material	1	LS	\$	5,785.50	\$	5,785.50	100%	\$	5,785.50	0%	\$	-	100%	\$	5,785.50
8.6.20	Clarifier Piping - Labor	1	LS	\$	7,203.00	\$	7,203.00	100%	\$	7,203.00	0%	\$	-	100%	\$	7,203.00
8.6.21	Digester Tank Piping - Material	1	LS	\$	5,323.50	\$	5,323.50	100%	\$	5,323.50	0%	\$	-	100%	\$	5,323.50
8.6.22	Digester Tank Piping - Labor	1	LS	\$	16,290.75	\$	16,290.75	100%	\$	16,290.75	0%	\$	-	100%	\$	16,290.75
8.6.23	6"SL, 2W, 12"LPA, 4"SL - SP01 - Material	1	LS	\$	58,338.00	\$	58,338.00	100%	\$	58,338.00	0%	\$	-	100%	\$	58,338.00
8.6.24	6"SL, 2W, 12"LPA, 4"SL - SP01 - Labor	1	LS	\$	34,156.50	\$	34,156.50	100%	\$	34,156.50	0%	\$	-	100%	\$	34,156.50
8.6.25	7 Sch 10 Stainless LPA Crossovers per SP02	1	LS	\$	9,483.60	\$	9,483.60	100%	\$	9,483.60	0%	\$	-	100%	\$	9,483.60
8.6.26	9 Hose Racks per SP01	1	LS	\$	7,087.50	\$	7,087.50	100%	\$	7,087.50	0%	\$	-	100%	\$	7,087.50
				<b>Biological Treatment Total</b>												
8.7	Blower Building						<b>2,206,384.90</b>		<b>\$</b>	<b>2,206,384.90</b>		<b>\$</b>	<b>-</b>		<b>\$</b>	<b>2,206,384.90</b>
8.7.1	Earthwork	1	LS	\$	5,000.00	\$	5,000.00	100%	\$	5,000.00	0%	\$	-	100%	\$	5,000.00
8.7.2	Blower Building Concrete	1	LS	\$	36,750.00	\$	36,750.00	100%	\$	36,750.00	0%	\$	-	100%	\$	36,750.00
8.7.3	Concrete Masonry	1	LS	\$	20,947.50	\$	20,947.50	100%	\$	20,947.50	0%	\$	-	100%	\$	20,947.50
8.7.4	Roof Structure	1	LS	\$	42,000.00	\$	42,000.00	100%	\$	42,000.00	0%	\$	-	100%	\$	42,000.00
8.7.5	Doors	1	LS	\$	7,035.00	\$	7,035.00	100%	\$	7,035.00	0%	\$	-	100%	\$	7,035.00
8.7.6	New Blowers in Blower Building	1	LS	\$	6,460.65	\$	6,460.65	100%	\$	6,460.65	0%	\$	-	100%	\$	6,460.65
8.7.7	Valves and Supports SP20 - Material Only	1	LS	\$	2,798.25	\$	2,798.25	100%	\$	2,798.25	0%	\$	-	100%	\$	2,798.25
8.7.8	Blower Piping to Mech. Coupling Outside Blower Bldg	1	LS	\$	8,190.00	\$	8,190.00	100%	\$	8,190.00	0%	\$	-	100%	\$	8,190.00
8.7.9	2 Bollards per SP19	1	LS	\$	2,086.35	\$	2,086.35	100%	\$	2,086.35	0%	\$	-	100%	\$	2,086.35
8.7.10	HVAC	1	LS	\$	13,679.40	\$	13,679.40	75%	\$	10,259.55	25%	\$	3,419.85	100%	\$	13,679.40
				<b>Blower Building Total</b>												
8.8	Operations Building						<b>144,947.15</b>		<b>\$</b>	<b>144,947.15</b>		<b>\$</b>	<b>-</b>		<b>\$</b>	<b>144,947.15</b>
8.8.1	Basement Gravel Fill	1	LS	\$	5,000.00	\$	5,000.00	100%	\$	5,000.00	0%	\$	-	100%	\$	5,000.00
8.8.2	Concrete Infill	1	LS	\$	15,750.00	\$	15,750.00	100%	\$	15,750.00	0%	\$	-	100%	\$	15,750.00
8.8.3	Interior Framing	1	LS	\$	15,750.00	\$	15,750.00	100%	\$	15,750.00	0%	\$	-	100%	\$	15,750.00
8.8.4	Drywall	1	LS	\$	6,300.00	\$	6,300.00	100%	\$	6,300.00	0%	\$	-	100%	\$	6,300.00
8.8.5	Doors & Windows	1	LS	\$	16,800.00	\$	16,800.00	100%	\$	16,800.00	0%	\$	-	100%	\$	16,800.00
8.8.6	Roof	1	LS	\$	4,200.00	\$	4,200.00	100%	\$	4,200.00	0%	\$	-	100%	\$	4,200.00
8.8.7	Cabinetry	1	LS	\$	11,550.00	\$	11,550.00	100%	\$	11,550.00	0%	\$	-	100%	\$	11,550.00
8.8.8	Misc. Finishes	1	LS	\$	21,000.00	\$	21,000.00	90%	\$	18,900.00	5%	\$	1,050.00	95%	\$	19,950.00
8.8.9	Plumbing M04 - Rough In	1	LS	\$	8,263.50	\$	8,263.50	100%	\$	8,263.50	0%	\$	-	100%	\$	8,263.50
8.8.10	Plumbing M04 - Top-Out	1	LS	\$	21,273.00	\$	21,273.00	100%	\$	21,273.00	0%	\$	-	100%	\$	21,273.00
8.8.11	Plumbing M04 - Trim	1	LS	\$	9,975.00	\$	9,975.00	0%	\$	-	100%	\$	9,975.00	100%	\$	9,975.00
				<b>Operations Building Total</b>												
8.9	Effluent Pumping Station / Chlorine Contact Basin						<b>135,861.50</b>		<b>\$</b>	<b>135,861.50</b>		<b>\$</b>	<b>-</b>		<b>\$</b>	<b>135,861.50</b>
8.9.1	Structure Demolition	1	LS	\$	14,175.00	\$	14,175.00	100%	\$	14,175.00	0%	\$	-	100%	\$	14,175.00
8.9.2	Install Effluent Pumps & Chlorine Sample Pump	1	LS	\$	6,460.65	\$	6,460.65	100%	\$	6,460.65	0%	\$	-	100%	\$	6,460.65
8.9.3	New HDPE Panels at existing baffle frames	1	LS	\$	6,260.10	\$	6,260.10	100%	\$	6,260.10	0%	\$	-	100%	\$	6,260.10
8.9.4	FRP Grating per X08	1	LS	\$	6,825.00	\$	6,825.00	100%	\$	6,825.00	0%	\$	-	100%	\$	6,825.00

8.9.5	Weir Plate per DSP23	1	LS	\$ 2,625.00	\$ 2,625.00	100%	\$ 2,625.00	0%	\$ -	100%	\$ -	2,625.00
8.9.6	PVC Stilling Well per SP23	1	LS	\$ 2,310.00	\$ 2,310.00	100%	\$ 2,310.00	0%	\$ -	100%	\$ -	2,310.00
8.9.7	Grating Support Channel and New Grating per SP23	1	LS	\$ 5,537.70	\$ 5,537.70	100%	\$ 5,537.70	0%	\$ -	100%	\$ -	5,537.70
8.9.8	Pipe Supports with U Bolts A/C05	1	LS	\$ 1,845.90	\$ 1,845.90	100%	\$ 1,845.90	0%	\$ -	100%	\$ -	1,845.90
8.9.9	Effluent Pump Piping - Material	1	LS	\$ 22,879.50	\$ 22,879.50	100%	\$ 22,879.50	0%	\$ -	100%	\$ -	22,879.50
8.9.10	Effluent Pump Piping - Labor	1	LS	\$ 9,093.00	\$ 9,093.00	100%	\$ 9,093.00	0%	\$ -	100%	\$ -	9,093.00
8.9.11	Effluent Pump Station 2W Piping - Material	1	LS	\$ 4,898.25	\$ 4,898.25	100%	\$ 4,898.25	0%	\$ -	100%	\$ -	4,898.25
8.9.12	Effluent Pump Station 2W Piping - Labor	1	LS	\$ 5,223.75	\$ 5,223.75	100%	\$ 5,223.75	0%	\$ -	100%	\$ -	5,223.75
<b>Effluent Pump Station Total</b>				<b>\$ 88,133.85</b>	<b>\$ 88,133.85</b>		<b>\$ 88,133.85</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 88,133.85</b>
8.10	<b>Equipment Procurement</b>											
8.10.1	General Equipment & Mechanical Requirements	1	LS	\$ 5,000.00	\$ 5,000.00	100%	\$ 5,000.00	0%	\$ -	100%	\$ -	5,000.00
8.10.2	Submersible Non-Clog Influent Pumps	1	LS	\$ 57,697.50	\$ 57,697.50	100%	\$ 57,697.50	0%	\$ -	100%	\$ -	57,697.50
8.10.3	Submersible Non-Clog Effluent Pumps	1	LS	\$ 57,697.50	\$ 57,697.50	100%	\$ 57,697.50	0%	\$ -	100%	\$ -	57,697.50
8.10.4	Package Biological Treatment Facility	1	LS	\$ 1,563,759.75	\$ 1,563,759.75	100%	\$ 1,563,759.75	0%	\$ -	100%	\$ -	1,563,759.75
8.10.5	Static Mixer	1	LS	\$ 5,910.45	\$ 5,910.45	100%	\$ 5,910.45	0%	\$ -	100%	\$ -	5,910.45
8.10.6	Laboratory Glassware, Apparatus and Equipment	1	LS	\$ 17,000.00	\$ 17,000.00	100%	\$ 17,000.00	0%	\$ -	100%	\$ -	17,000.00
8.10.7	Sampling, Lab and Monitoring Equipment	1	LS	\$ 753.90	\$ 753.90	100%	\$ 753.90	0%	\$ -	100%	\$ -	753.90
8.10.8	FRP Stop Gates and FRP Chemical Metering Enclosure	1	LS	\$ 62,946.99	\$ 62,946.99	85.61%	\$ 53,890.05	14.39%	\$ 9,056.94	100.00%	\$ 62,946.99	
8.10.9	Chemical Metering Equipment	1	LS	\$ 19,778.86	\$ 19,778.86	0%	\$ -	100%	\$ 19,778.86	100%	\$ 19,778.86	
<b>Equipment Total</b>				<b>\$ 1,790,544.95</b>	<b>\$ 1,790,544.95</b>		<b>\$ 1,761,709.15</b>		<b>\$ 28,835.80</b>		<b>\$ 1,790,544.95</b>	
8.11	<b>Painting</b>											
8.11.1	Buildings and Doors	1	LS	\$ 15,382.50	\$ 15,382.50	100%	\$ 15,382.50	0%	\$ -	100%	\$ -	15,382.50
8.11.2	Piping and Miscellaneous	1	LS	\$ 15,382.50	\$ 15,382.50	100%	\$ 15,382.50	0%	\$ -	100%	\$ -	15,382.50
<b>Painting Total</b>				<b>\$ 30,765.00</b>	<b>\$ 30,765.00</b>		<b>\$ 30,765.00</b>		<b>\$ -</b>		<b>\$ 30,765.00</b>	
8.12	<b>Electrical</b>											
8.12.1	Generator	1	LS	\$ 173,853.75	\$ 173,853.75	100%	\$ 173,853.75	0%	\$ -	100%	\$ -	173,853.75
8.12.2	Light Fixtures	1	LS	\$ 24,440.85	\$ 24,440.85	100%	\$ 24,440.85	0%	\$ -	100%	\$ -	24,440.85
8.12.3	Aqua Sierra Controls	1	LS	\$ 147,383.25	\$ 147,383.25	98%	\$ 144,435.59	2%	\$ 2,947.67	100%	\$ 147,383.25	
8.12.4	Motor Control Centers, Panels, Transformers, Etc.	1	LS	\$ 222,247.20	\$ 222,247.20	100%	\$ 222,247.20	0%	\$ -	100%	\$ -	222,247.20
8.12.5	Underground Trenching, Backfill, Pads, Conduit	1	LS	\$ 143,079.30	\$ 143,079.30	100%	\$ 143,079.30	0%	\$ -	100%	\$ -	143,079.30
8.12.6	Electrical Demo and New Work in Control Bldg, Electric Bldg, Blower Bldg and Operations Bldg	1	LS	\$ 60,241.65	\$ 60,241.65	99%	\$ 59,639.23	1%	\$ 602.42	100%	\$ 60,241.65	
8.12.7	Headworks, Effluent Pumps, Chlorine Electric	1	LS	\$ 11,550.00	\$ 11,550.00	100%	\$ 11,550.00	0%	\$ -	100%	\$ -	11,550.00
8.12.8	Disposal Site Electric Not Counting Panels	1	LS	\$ 6,825.00	\$ 6,825.00	100%	\$ 6,825.00	0%	\$ -	100%	\$ -	6,825.00
8.12.9	Job Move-In Temp Power	1	LS	\$ 3,675.00	\$ 3,675.00	100%	\$ 3,675.00	0%	\$ -	100%	\$ -	3,675.00
8.12.10	Set Main Switchboard, Service, MCC2	1	LS	\$ 36,626.10	\$ 36,626.10	100%	\$ 36,626.10	0%	\$ -	100%	\$ -	36,626.10
8.12.11	Hook-Up New Motors	1	LS	\$ 10,363.50	\$ 10,363.50	100%	\$ 10,363.50	0%	\$ -	100%	\$ -	10,363.50
<b>Electrical Total</b>				<b>\$ 840,285.60</b>	<b>\$ 840,285.60</b>		<b>\$ 836,735.52</b>		<b>\$ 3,550.08</b>		<b>\$ 840,285.60</b>	
<b>Bld Item 8 Total</b>				<b>\$ 6,420,000.00</b>	<b>\$ 6,420,000.00</b>		<b>\$ 6,266,330.91</b>		<b>\$ 96,989.33</b>		<b>\$ 6,363,320.24</b>	
9	<b>Bld Item 9</b>											
	All work as required to install the Indirect Sludge Dryer System as defined in Addendum No. 3.											
9.1	Administration Requirements	1	LS	\$ 20,000.00	\$ 20,000.00	100%	\$ 20,000.00	0%	\$ -	100%	\$ -	20,000.00
9.2	Indirect Sludge Dryer System	1	LS	\$ 558,979.15	\$ 558,979.15	100%	\$ 558,979.15	0%	\$ -	100%	\$ -	558,979.15

9.3	Demolition	1	LS	\$	5,250.00	\$	5,250.00	100%	\$	5,250.00	0%	\$	-	100%	\$	5,250.00
9.4	Concrete Slab	1	LS	\$	21,000.00	\$	21,000.00	100%	\$	21,000.00	0%	\$	-	100%	\$	21,000.00
9.5	Decrease Bio Tank Size	1	LS	\$	(45,150.00)	\$	(45,150.00)	100%	\$	(45,150.00)	0%	\$	-	100%	\$	(45,150.00)
9.6	Paving	1	LS	\$	3,300.00	\$	3,300.00	100%	\$	3,300.00	0%	\$	-	100%	\$	3,300.00
9.7	Gas, Water, Drain & Misc. Piping for Sludge Dryer - Material	1	LS	\$	2,903.25	\$	2,903.25	100%	\$	2,903.25	0%	\$	-	100%	\$	2,903.25
9.8	Gas, Water, Drain & Misc Piping for Sludge Dryer - Labor	1	LS	\$	4,305.00	\$	4,305.00	100%	\$	4,305.00	0%	\$	-	100%	\$	4,305.00
9.9	Sludge Dryer System Installation	1	LS	\$	33,143.25	\$	33,143.25	100%	\$	33,143.25	0%	\$	-	100%	\$	33,143.25
9.10	Sludge Dryer Venting	1	LS	\$	49,714.35	\$	49,714.35	100%	\$	49,714.35	0%	\$	-	100%	\$	49,714.35
9.11	Doors	1	LS	\$	9,555.00	\$	9,555.00	100%	\$	9,555.00	0%	\$	-	100%	\$	9,555.00
				Bid Item 9 Total		\$	663,000.00	100%	\$	663,000.00	0%	\$	-	100%	\$	663,000.00
				TOTAL		\$	10,631,000.00		\$	9,159,673.42		\$	592,086.83		\$	9,751,760.25

Original Contract Amount	\$	10,631,000.00
Total Change Orders	\$	138,531.42
Total Contract + Change Orders	\$	10,769,531.42
Contract Work + Change Orders Performed To Date	\$	9,818,107.67
Work To Date Minus 5% Retention	\$	9,327,202.29
Previous Billed Less 5% Retention	\$	8,770,681.45
Work To Date Minus Previous Billed	\$	556,520.84
TOTAL AMOUNT DUE	\$	556,520.84

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675 Wildwood Avenue  
Rio Dell, CA 95562



TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: November 7, 2013

SUBJECT: WWTP Project Construction Management Contract extension

#### **RECOMMENDATION**

Authorize the City Manager to execute a contract amendment extending construction management services through December 31, 2013.

#### **BUDGETARY IMPACT**

Construction Management and Inspection totals \$18,000 per month.

#### **BACKGROUND AND DISCUSSION**

At the September 3<sup>rd</sup> meeting the City Council voted to approve WWTP Project Change Order No. 7 re-routing the wastewater effluent pipeline under the Eel River as opposed to crossing through the northbound Caltrans Bridge.

On October 15<sup>th</sup> the Council approved Change Order No. 9 which included a time extension for completion and connection of the effluent pipeline. The projected completion date is no later than 12/31/2013.

Currently the Construction Management Contract only extends through the month of October. Staff recommend that the City execute a contract amendment extending construction management and inspection services through the month of December. The terms and conditions will remain unchanged. All costs are funded under the SWRCB project funding agreement.

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675 Wildwood Avenue  
Rio Dell, CA 95562



TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager *JS*

FROM: Stephanie Beauchaine, Finance Director *SB*

DATE: November 5, 2013

SUBJECT: Y-T-D Budget Variance Report by Fund Type and Comparative Balance Sheet for the year ending June 30, 2013

**RECOMMENDATION**

Receive and File

**BUDGETARY IMPACT**

None.

**BACKGROUND AND DISCUSSION**

Please find attached a copy of the Y-T-D Budget Variance Report by Fund Type and Comparative Balance Sheet for the year ending June 30, 2013 for your review.

The Comparative Balance Sheet indicates that total Assets have increased by \$5,850,405.19 largely due to the addition of Construction in Progress Wastewater Treatment Plant (WWTP) assets, and increased cash on hand. Annual Depreciation however, continues to erode asset balances each year as we currently are not collecting sufficient revenues to fund depreciation (replacement of aging infrastructure and equipment). Staff recommends we evaluate the City's depreciation funding options in the near future.

Liabilities have increased by \$5,382,788.36. Accounts Payable has been reduced significantly in comparison to the prior year as WWTP project payments have decreased significantly. As of June 30<sup>th</sup> the WWTP bridge loan has a zero balance, and a Loan Payable to the State Water Resources Control Board for the WWTP has been booked.

Fund balance has increased by \$467,616.83 which is largely a reflection of the WWTP project activity. Overall the City has increased assets, increased liabilities, and increased



Fund balance in comparison to the prior year. The City's financial condition continues to improve as fund balance increases. The detailed report is attached.

The Y-T-D Budget Variance Reports for the Year Ending June 30, 2013 show 79% of revenues budgeted were received, and 79% of funds appropriated were expended. Revenues and expenditures for the year are significantly less than projected resulting from the delay of three (3) Capital Projects. The City's Safe Routes to School and Wildwood Transportation Enhancement Projects were both fully budgeted for the 12/13 fiscal-year, but did not begin construction until the next budget cycle. The WWTP Project schedule was delayed due to a change in the effluent pipeline alignment which also contributed to less expenditures and grant reimbursements than anticipated. There were multiple accounts that were over budget including personnel expenses, electricity, and gas & oil. However, the overall budget is balanced and performed within the parameters of the appropriations provided. The detailed report is attached for review.

At this time the figures in both reports are un-audited and may change slightly during the audit process. Staff will provide final reports after the completion of the audit and a final budget adjustment will also be prepared for the Council's approval at that time.

**CITY OF RIO DELL**  
**Comparative Balance Sheet**  
**As of June 30, 2013**

	This Year	Last Year	Change
<b>Assets</b>			
1011 Cash - General Checking	1,906,789.37	522,089.53	1,384,699.84
1020 Cash - Petty Cash	150.00	150.00	0.00
1030 Cash - Change Drawer	250.00	250.00	0.00
1031 Cash - Change Drawer 2	250.00	250.00	0.00
1032 Cash - Change Drawer 3	250.00	0.00	250.00
1033 Cash - Change Drawer 4	250.00	0.00	250.00
1050 Cash - Payroll Checking	1,113.65	651.06	462.59
1060 Cash - Undeposited Funds	52,245.17	31,137.34	21,107.83
1070 Cash - Edward Jones CDBG Program	153,506.02	153,490.72	15.30
<b>Income</b>			
1080 Investment - LAIF Savings	4,762.71	4,751.30	11.41
1140 Prepaid	7,587.24	6,063.80	1,523.44
1320 Notes Receivable	1,271,082.67	1,292,925.66	(21,842.99)
1400 Accts Receivable	2,954.68	76,966.81	(74,012.13)
1415 Sewer assessment Receivable	135,000.00	160,000.00	(25,000.00)
1420 Accts Receivable - Utility Bill. Dist	202,443.49	193,542.61	8,900.88
1423 Accounts Receivable CDBG	945.00	0.00	945.00
1424 Accts Receivable- Small Claims	0.00	433.69	(433.69)
1425 Accts Receivable - Planning	117.06	(265.25)	382.31
1430 Claims on Cash	(6.20)	0.00	(6.20)
1450 Interest Receivable	2.89	0.00	2.89
1455 Revenue Recievable	254,013.48	66,114.68	187,898.80
1460 Grants Receivable	761,001.46	3,111,729.00	(2,350,727.54)
1530 Prepaid Insurance	14,959.26	15,135.51	(176.25)
1535 Prepaid Dependent Coverage	0.00	(49.62)	49.62
1540 Prepaid COBRA Coverage	(390.60)	0.00	(390.60)
1700 Machinery & Equipment	934,191.00	927,808.00	6,383.00
1701 Building and Improvements	171,836.00	142,830.00	29,006.00
1702 Land and Improvements	507,859.00	507,859.00	0.00
1703 Infrastructure	12,246,095.87	12,246,095.87	0.00
1705 Vehicles	58,442.00	58,442.00	0.00
1708 Construction in Progress	10,291,881.00	3,291,938.00	6,999,943.00
1710 Accum Depr - Mach & Equip	(919,188.00)	(897,700.68)	(21,487.32)
1740 Accum Depr - Vehicles	(58,442.00)	(58,438.00)	(4.00)
1750 Accum Depr - Bldg & Imprv	(117,849.00)	(107,441.00)	(10,408.00)
1760 Accum Depr - Infrastructure	(1,018,157.00)	(731,219.00)	(286,938.00)
<b>Total Assets</b>	<b>26,865,946.22</b>	<b>21,015,541.03</b>	<b>5,850,405.19</b>

**Liabilities and Fund Balance****Liabilities**

2010 Accounts Payable	242,500.17	901,855.32	(659,355.15)
2012 Sales Tax Payable	297.30	802.04	(504.74)
2050 Accrued Interest	0.00	33.68	(33.68)
2070 Accrued Garnishments Payable	(102.11)	0.00	(102.11)
2090 Accrued PD Dues Payable	(120.00)	0.00	(120.00)
2100 Accrued EE Dues Payable	0.00	96.00	(96.00)
2120 Accrued Wages	45,240.76	48,189.37	(2,948.61)

**CITY OF RIO DELL**  
**Comparative Balance Sheet**  
**As of June 30, 2013**

	This Year	Last Year	Change
2222 Loan Payable-SWRCB WWTP Project	6,980,859.00	0.00	6,980,859.00
2233 Retention	2,176,000.00	2,312,000.00	(136,000.00)
2234 Lease Payable- John Deere	25,599.32	37,294.30	(11,694.98)
2235 Lease Payable- John Deere	0.00	5,898.77	(5,898.77)
2238 RCAC- Planning & Design Loan Sewer Effluent & Facility Project	0.00	157,796.18	(157,796.18)
2240 RCAC Bridge Loan (Formerly Six rivers Ntnl Bnk)	0.00	569,008.43	(569,008.43)
2310 Bond - Sewer Assessment	135,000.00	160,000.00	(25,000.00)
2410 Deposit - Utility Customers	34,347.15	27,494.12	6,853.03
2415 Customer Credits- U/B	1,721.65	666.23	1,055.42
2510 Trust - 457 Deferred Comp	(3,414.73)	0.00	(3,414.73)
2600 Compensated absenses payable	17,394.71	15,971.61	1,423.10
2700 Deferred Revenue	1,252,483.64	1,287,912.45	(35,428.81)
<b>Total Liabilities</b>	<b>10,907,806.86</b>	<b>5,525,018.50</b>	<b>5,382,788.36</b>
<b>Fund Balance</b>			
3010 Fund Balance	15,384,080.51	11,744,104.06	3,639,976.45
3020 Investment in Fixed Assets	0.00	0.00	0.00
3110 Retained Earnings	0.00	0.00	0.00
3210 Prior Period Adjustment	106,442.02	106,442.02	0.00
3500 Residual Equity Transfer	0.00	0.00	0.00
Change in Fund Balance	467,616.83	3,639,976.45	(3,172,359.62)
<b>Total Fund Balance</b>	<b>15,958,139.36</b>	<b>15,490,522.53</b>	<b>467,616.83</b>
<b>Total Liabilities and Fund Balance</b>	<b>26,865,946.22</b>	<b>21,015,541.03</b>	<b>5,850,405.19</b>



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675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
(707) 764-5480 (fax)  
E-mail: [cm@riodellcity.com](mailto:cm@riodellcity.com)

November 7, 2013

TO: Honorable Rio Dell City Council

FROM: Jim , City Manager

SUBJECT: Change Order #2 (Sidewalk replacement) Wildwood Avenue Improvement Project

IT IS RECOMMENDED THAT THE RIO DELL CITY COUNCIL:

Ratify the City Manager's action to approve Change Order #2 in the amount of \$3,191.33 for the replacement of 210 square foot of sidewalk in (2) locations on the west side of Wildwood Avenue Project area, funded with savings from other project cost centers.

BACKGROUND AND DISCUSSION

As the Council may recall, the Wildwood Avenue Improvement Project (for construction) was awarded to Cal Electro on July 23, 2013 in the base amount of \$461,832. At a prior meeting the Council prioritized 6 bid alternatives and elected at the time of award to include the first three for a welcome sign, (2) art pedestals and a town clock.

The Federal project grant administered through CalTrans totaled \$589,000. Bids came in \$49,832 higher than expected, thus requiring a contribution of City monies from the General Fund. The art pedestals and town clock increased that local requirement to \$68,032.

The lesser priority bid options not funded included sidewalk tree wells, street furniture and sidewalk replacement, all totaling \$101,050. The last priority bid alternative was sidewalk replacement at \$9,450, and it was ranked last only because there was an issue about the responsibility of property owners for the replacement of dangerous sidewalks adjacent to their property, and the locations of the sidewalk repairs were not available when the bid alternatives were prioritized. As it turns out, 2/3<sup>rd</sup> of the sidewalk repairs identified were a City responsibility, and if unrepaired present a liability to the agency.

Inasmuch as Cal Electro's concrete crew was in town for a short while to finalize some work; the City needed to make the sidewalk repairs at the earliest opportunity, the price was right and there was savings available, the City Manager authorized the work to be done.

It is requested that the City Council ratify the City Manager's action approving Change Order #2 in the amount of \$3,191.33. The estimated balance in the project contingency after these repairs is \$15,808. If that balance remains at the end of the project, the General Fund Contribution for the project will in effect be reduced from \$68,032 to \$52,224.

As an aside, there are 3 medians in the project, other than the clock median, that do not have trees, due in large part to the last minute changes to the length and placement of the medians. Today, neighboring businesses and residents along the avenue have let it be known that they would like to have "our" tree. Once the project is complete, we plan to purchase (3) Big Leaf Maple trees locally to be planted by staff. The medians already have irrigation.



## CHANGE ORDER

PROJECT: CITY OF RIO DELL  
DOWNTOWN STREETSCAP  
IMPROVEMENT PROJECT

CHANGE ORDER No.:2

DATE: OCTOBER 30, 2013

CONTRACTOR: Cal Electro Construction, Inc.

PAGE: 1 OF 2

**DESCRIPTION of CHANGE: Remove and replace sidewalks at two locations**

No.	DESCRIPTION	AMOUNT
1	<p><b>Sidewalk Demolition and Repair:</b> Work to be completed includes the demolition, removal, and repair of two sections of sidewalk on the west side of Wildwood Avenue between Douglas and Cedar streets. Demolition will include the breaking and removal of existing sidewalk sections. The repair will include the placement and surface finishing of 210 SF of concrete in two separate locations as directed by the engineer.</p> <p>Contractor agrees to complete this work for the agreed lump sum of \$3,191.33. This work was included as a bid alternate in the original project plans was not awarded due to budget limitations. The City is now requesting that this work be added and is eligible for federal participation.</p>	\$3,191.33
TOTAL		\$3,191.33

**GHD Inc.**

718 Third Street Eureka CA 95501 USA  
T 1 707 443 8326 F 1 707 444 8330 E eureka@ghd.com W www.ghd.com



### Adjustment of Contract Sum

Original Contract Sum	\$533,482.00
Prior Adjustments	(\$2,199.68)
Contract Sum Prior to this Change	\$531,282.32
Adjustment for this Change	\$3191.33
Revised Contract Sum	\$534,473.65

### Adjustment of Contract Time

Original Contract Time - Calendar Day	80
Prior Adjustments	4
Contract Time Prior to this Change	84
Adjustment for this Change	1
Revised Contract Time	85

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.

### CONSTRUCTION MANAGER

RECOMMENDED BY:

DATE:

10/29/13

### CITY MANAGER

APPROVED BY:

DATE:

10-30-13

### CONTRACTOR

ACCEPTED BY:

DATE:

### PUBLIC WORKS

RECOMMENDED BY:

DATE:

10/30/13

Rio Dell City hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
riodelcity.com



November 7, 2013

TO: Honorable Mayor and City Council Members  
FROM: Jim Stretch, City Manager  
SUBJECT: Modification of employment agreement with City Manager James R Stretch

IT IS REQUESTED THAT THE CITY COUNCIL

1. Approve an amendment to the April 17, 2012 Employment Agreement of City Manager James R Stretch and the November 20, 2012 amendment to that agreement to reflect full time employment as follows:
  - A. Amend *Hours of Work* Section 8 of the agreement to provide that employee shall be paid for all hours worked. Employee shall endeavor to keep the hours worked at 40 or less/week.
  - B. Amend *Vacation, Sick Leave, Holiday and Executive Time* Section 11 of the agreement to provide that the benefits earned are based on a full time position. More specifically:
    - Vacation credit to be earned at 120 hours per fiscal year (10 hrs. /month) and shall not be earned or accrued in excess of 180 hours. The rules for vacation accrual shall be the same as any other management employee of the City.
    - Sick leave credit to be earned at 8 hours/month.
    - Holiday pay shall be observed the same as any other management employee of the City.
    - Employee shall receive 80 hours of Executive Leave/year and be paid for the benefit the same as any other City employee.
2. The automobile allowance of \$300 (Section 10) to cover the cost of employee using his personal vehicle on City business is not changed by this amendment and shall remain at the  $\frac{3}{4}$  time calculation.
3. The hourly rate of compensation at \$52.24 (Section 6) is not changed by the amendment and shall remain the same for the balance of the contract period.
4. The effective date of the amendments is November 02, 2013.
5. Direct the City Attorney to prepare these amendments to the agreement and authorize the Mayor to sign.



## BACKGROUND AND DISCUSSION

Prior to June 1, 2012, the City Manager in Rio Dell was considered to be a full time position and worked accordingly. After reorganization in 2011-12 the position was reassigned by the City Council to ½ time and James R Stretch was hired on those terms, effective May 21, 2012. After two months on the job the Council increased the position to full time for the months of August and September 2012 and then back to ½ time on October 1, 2012 with the hope that the services of the City Manager would ease—it didn't.

On November 20, 2012 the City Council approved a contract modification to allow the City Manager to work up to 40 hours/week when necessary. However, it was assume by the City Manager that the demand would generally settle at ¾ time so the benefit accruals were not asked to be adjusted. It is the City Manager's opinion at this time that the demand of the position between now and the end of the contract period (May 21, 2014) will most likely require a full time effort, so the benefits are requested to be adjusted accordingly.

For the good of the Order, the incumbent is agreeable to work full time for the balance of the contract period as required. The experience in the last almost 17 months is that the position is easily full time. Besides the normal press of events over the next 6 months, the City Manager will be conducting the recruitment for the new City Manager and perhaps provide an overlap for a short period of time if requested by the new City Manager and the City Council.

Assuming that the City Council is agreeable to this proposal, language to amend the agreement has been prepared for the legal review of the City Attorney.

## FISCAL IMPACT

Assuming the position requires a full time effort, the City Manager's budget would require an augmentation of approximately \$15,800 from the General Fund Contingency, which has a current balance of approximately \$1,000,000.

*Rio Dell City hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
riodelcity.com*



November 7, 2013

TO: Honorable Mayor and City Council Members  
FROM: Jim ~~Stretch~~, City Manager  
SUBJECT: Pay Request #1 to Cal Electro for Wildwood Avenue Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve payment #1 in the amount of \$439,644.28 to Cal Electro for Wildwood Avenue Improvement Project.

BACKGROUND AND DISCUSSION

The Wildwood Avenue Improvement Project is almost complete and this is the first request for payment from General Contractor Cal Electro. The payment request has been reviewed and recommended by the City Engineer and Construction Manager (GHD) and the City Manager.

The earthwork, concrete, electrical and landscaping works is substantially complete. The balance of the work related to installation of drip irrigation, minor work on the Welcome Sign and cleanup should be completed by November 8, 2013.

Details for the claim are attached. It is recommended that the City Council approve the payment request in the amount of \$439,644.28.



## Memorandum

November 1, 2013

To: Jim Stretch, City Manager

Cc:

From: Merritt Perry, Construction Manager

Tel: 707-443-8326

Subject: Wildwood Avenue Downtown Improvement Project Pay Request No. 1 Job no.: 8410114

Construction of the Wildwood Avenue Downtown Improvement Project is nearly complete. The concrete, earthwork, electrical and landscaping is nearly complete. Work remaining includes finish the planting and installation of the drip irrigation, minor work on the gateway sign, cleanup and working. All contract item work is anticipated to be completed by the end of next week. PG&E has scheduled the power to be turned on for November 12<sup>th</sup>, after which we can review how the electrical items are functioning and complete the final punch list.

One change order was issued during this period, for the revisions to the median islands, landscaping and electrical resulting in a net credit to the City in the amount of \$2,798.55. These changes were discussed prior to execution of the change order with the city manager at one council meeting. The construction contract is anticipated to be completed within the original contract budget.

We have reviewed the attached Progress Payment Request No. 1 from Cal Electro, Inc. It is based on the bid schedule unit cost dollar figures in the Contractor's bid and the actual quantities of work completed consistent with the bid schedule. We recommend payment to Cal Electro, Inc. for Pay Request No. 1 in the amount of \$439,644.28 at this time. Payment to the contractors is due within 30 days of the completed progress pay request. This amount takes into account 5% retention to be withheld until the project is complete. The current invoice was first accepted on September 10th.

Please don't hesitate to contact me if you have any questions regarding the project progress or this pay request.

ATTACHMENTS: Cal Electro, Inc. invoice

City of Rio Dell  
Rio Dell Downtown Improvements Project  
Contractor: CalElectro Inc.  
Progress Pay Request #1

## CONTRACT ITEMS

Item No.	Description	Contract Quantity	Unit	Unit Price	Contract Amount	Quantity Complete To Date	Amount Complete To Date	Amount Previously Certified for Payment	Amount Currently Due
1	Mobilization/Demobilization	1	LS	\$26,000.00	\$26,000.00	0.75	\$19,500.00	\$0.00	\$19,500.00
2	Construction Area Signs	15	EA	\$350.00	\$5,250.00	0.00	\$0.00	\$0.00	\$0.00
3	Construction Staking	1	LS	\$8,000.00	\$8,000.00	1.00	\$8,000.00	\$0.00	\$8,000.00
4	Traffic Control (Throughout Construction)	1	LS	\$29,000.00	\$29,000.00	0.90	\$26,100.00	\$0.00	\$26,100.00
5	Erosion and Sediment Control	1	LS	\$2,500.00	\$2,500.00	0.90	\$2,250.00	\$0.00	\$2,250.00
6	Remove Existing Pavement Striping & Markings	1	LS	\$2,280.00	\$2,280.00	1.00	\$2,280.00	\$0.00	\$2,280.00
7	Cold Plane Asphalt Concrete 6" max	1372	SY	\$15.00	\$20,580.00	1296.00	\$19,440.00	\$0.00	\$19,440.00
8	Roadway Excavation (18", 15 trees @ 24")	652	CY	\$42.00	\$27,384.00	652.00	\$27,384.00	\$0.00	\$27,384.00
9	Minor Concrete (6" Curb, A1-6)	1740	LF	\$33.00	\$57,420.00	1656.00	\$54,648.00	\$0.00	\$54,648.00
10	2" Water Service Connection	1	LS	\$1,200.00	\$1,200.00	1.00	\$1,200.00	\$0.00	\$1,200.00
11	Landscape and Irrigation	1	LS	\$269,000.00	\$269,000.00	0.90	\$242,100.00	\$0.00	\$242,100.00
12	Thermoplastic Pavement Markings	322	SF	\$10.00	\$3,220.00	224.00	\$2,240.00	\$0.00	\$2,240.00
13	4-Inch Thermoplastic Traffic Stripe (22, 27B, Loading Zone)	5380	LF	\$1.00	\$5,380.00	5622.00	\$5,622.00	\$0.00	\$5,622.00
14	6-Inch Thermoplastic Traffic Stripe (39, 39A)	3958	LF	\$1.00	\$3,958.00	4350.00	\$4,350.00	\$0.00	\$4,350.00
15	8-Inch Thermoplastic Traffic Stripe (38)	50	LF	\$3.00	\$150.00	0.00	\$0.00	\$0.00	\$0.00
16	Retroreflective Pavement Marker (Type H Detail 26 and Type G Detail 22 and Detail 38)	85	EA	\$6.00	\$510.00	128.00	\$768.00	\$0.00	\$768.00
17	Welcome Sign Installation	1	LS	\$6,000.00	\$6,000.00	0.75	\$4,500.00	\$0.00	\$4,500.00
18	Lighting & Electrical	1	LS	\$38,000.00	\$38,000.00	0.75	\$28,500.00	\$0.00	\$28,500.00
19	Art Pedestals	2	EA	\$1,000.00	\$2,000.00	2.00	\$2,000.00	\$0.00	\$2,000.00
20	Clock	1	LS	\$15,000.00	\$15,000.00	0.90	\$13,500.00	\$0.00	\$13,500.00
21	Clock Pedestal	1	LS	\$1,200.00	\$1,200.00	1.00	\$1,200.00	\$0.00	\$1,200.00
CONTRACT TOTALS					\$524,032.00	-----	\$465,582.00	\$0.00	\$465,582.00

## EXTRA WORK

Item No. Change Order #1	Description	Contract Quantity	Unit	Unit Price	Contract Amount	Quantity Complete to Date	Amount Complete to Date	Amount Previously Certified for Payment	Amount Currently Due
	Median Island, Landscaping and Electrical Modifications	1	LS	-\$2,798.55	-\$2,798.55	1.00	-\$2,798.55	\$0.00	-\$2,798.55
EXTRA WORK SUBTOTAL					-\$2,798.55	-----	-\$2,798.55	\$0.00	-\$2,798.55
CONTRACT AND EXTRA WORK TOTAL					\$521,233.45	-----	\$462,783.45	\$0.00	\$462,783.45
Total Earned To Date \$ 462,783.45 Total Retention To Date \$ 23,139.17 Previous Payments \$ -									
AMOUNT DUE									\$439,644.28

# CONTRACTOR'S APPLICATION & CERTIFICATE FOR PAYMENT

Page 1

FROM: CAL ELECTRO INC.  
3710 ELECTRO WAY  
REDDING, CA 96002  
(530) 223-5937 Fax (530) 221-7038

TO: CITY OF RIO DELL  
675 WILLOWOOD AVE  
RIO DELL, CA 95562

ARCHITECT:

PROJECT: 01061-12004

CUSTOMER: RIO DL  
INVOICE #: 1387-01R  
INVOICE DATE: 10/30/13  
PERIOD TO: 10/25/13  
CONTRACT DATE: 07/30/13  
APPLICATION #: 01

PROJECT: RIO DELL PED STREET IMPROV  
WILLOWOOD AVE  
RIO DELL, CA 95562

## APPLICATION FOR PAYMENT

1. ORIGINAL CONTRACT SUM.....	\$524,032.00
2. Net Change by Change Orders.....	\$-2,798.55
3. CONTRACT SUM TO DATE (Line 1 +/- 2).....	\$521,233.45
4. TOTAL COMPLETED & STORED TO DATE.....	\$462,783.45
(Column G on Continuation Sheet)	
5. RETAINAGE:	
a. 5% of Completed Work.....	\$23,139.17
(Column D+E on Continuation Sheet)	
b. 0% of Stored Material.....	\$0.00
(Column F on Continuation Sheet)	
Total Retainage (Line 5a + 5b or	
Total in Column I on Continuation Sheet).....	\$23,139.17
6. TOTAL EARNED LESS RETAINAGE.....	\$439,644.28
(Line 4 less Line 5 Total)	
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT.....	\$0.00
(Line 6 from prior Certificate)	
8. SALES TAX (if applicable).....	\$0.00
9. CURRENT PAYMENT DUE.....	\$439,644.28
10. BALANCE TO FINISH, PLUS RETAINAGE.....	\$81,589.17
(Line 3 less Line 6)	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: CAL ELECTRO INC.

By:  Date: 10/31/13

## CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$439,644.28

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

# CONTRACTOR'S APPLICATION & CERTIFICATE FOR PAYMENT

Page 2

FROM: CAL ELECTRO INC.  
3710 ELECTRO WAY  
REDDING, CA 96002  
(530) 223-5937 Fax (530) 221-7038

TO: CITY OF RIO DELL  
675 WILWOOD AVE  
RIO DELL, CA 95562

ARCHITECT:

PROJECT: 01061-12004

CUSTOMER: RIO DL  
INVOICE #: 1387-01R  
INVOICE DATE: 10/30/13  
PERIOD TO: 10/25/13  
CONTRACT DATE: 07/30/13  
APPLICATION #: 01

PROJECT: RIO DELL PED STREET IMPROV  
WILWOOD AVE  
RIO DELL, CA 95562

## CONTINUATION SHEET

A	B	C	D	E	F	G	H	I	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	----- WORK COMPLETED ----- FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED & STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
ORIGINAL CONTRACT:									
01170	MOBILIZ/DEMOBILIZ	26,000.00		19,500.00		19,500.00	75	6,500.00	975.00
01175	CONST AREA SIGNS	5,250.00					0	5,250.00	
01180	CONSTR STAKING	8,000.00		8,000.00		8,000.00	100		400.00
01190	TRAFFIC CONTROL(ALL)	29,000.00		26,100.00		26,100.00	90	2,900.00	1,305.00
01200	EROSION/SEDMNT CNTRL	2,500.00		2,250.00		2,250.00	90	250.00	112.50
01210	REM PAVMT STRIP&MARK	2,280.00		2,280.00		2,280.00	100		114.00
01220	COLD PLN ASPH/CON 6"	20,580.00		19,440.00		19,440.00	94	1,140.00	972.00
01240	RDWY EXCV-18", 15 TR	27,384.00		27,384.00		27,384.00	100		1,369.20
01250	MINOR CONCR-6" CURB	57,420.00		54,648.00		54,648.00	95	2,772.00	2,732.40
01300	2" WATER SERV CONN	1,200.00		1,200.00		1,200.00	100		60.00
01310	LANDSCAPE & IRRIG	269,000.00		242,100.00		242,100.00	90	26,900.00	12,105.00
01320	THERMOPL PAVMT MARK	3,220.00		2,240.00		2,240.00	70	980.00	112.00
01330	4" THERMOPL TRAF STRI	5,380.00		5,622.00		5,622.00	104	-242.00	281.10
01340	6" THERMOPL TRAF STRI	3,958.00		4,350.00		4,350.00	110	-392.00	217.50
01400	8" THERMOPL TRAF STRI	150.00					0	150.00	
01410	RETROREFL PVMT MARK	510.00		768.00		768.00	151	-258.00	38.40
01420	ALT 1-WELCOME SIGN	6,000.00		4,500.00		4,500.00	75	1,500.00	225.00
01430	ALT 1-LIGHT&ELEC	38,000.00		28,500.00		28,500.00	75	9,500.00	1,425.00
01480	ALT 2-ART PEDESTALSQ	2,000.00		2,000.00		2,000.00	100		100.00
01500	ALT 3-CLOCK	15,000.00		13,500.00		13,500.00	90	1,500.00	675.00
01510	ALT 3-CLOCK PEDESTL	1,200.00		1,200.00		1,200.00	100		60.00
TOTALS:		524,032.00	0.00	465,582.00	0.00	465,582.00	89	58,450.00	23,279.10
CHANGE ORDERS:									
C001	ITEMS 7-18 PER CO C001 approved 10/08/13	-2,798.55		-2,798.55		-2,798.55	100		-139.93
TOTALS:		521,233.45	0.00	462,783.45	0.00	462,783.45	89	58,450.00	23,139.17

675 Wildwood Avenue  
Rio Dell, CA 95562



TO: Rio Dell City Council  
FROM: Karen Dunham, City Clerk  
THROUGH: Jim Stretch City Manager  
DATE: November 12, 2013  
SUBJECT: Cancellation of November 19, 2013 Regular Meeting

**RECOMMENDATION**

Approve cancellation of November 19, 2013 regular City Council meeting.

**BACKGROUND AND DISCUSSION**

As you are aware the November 9, 2013 meeting was cancelled due to the lack of a quorum and rescheduled for November 12, 2013. Since the next regular meeting falls on the following Tuesday (November 19<sup>th</sup>), staff is recommending cancellation of that meeting. There are no time-sensitive or urgent matters pending before the Council.

Chapter 2.05.060 of the Rio Dell Municipal Code (RDMC) allows for any meeting of the City Council to be cancelled or rescheduled in advance of the meeting by a majority vote of the members present.

675 Wildwood Avenue  
Rio Dell, Ca 95562  
(707) 764-3532



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
NOVEMBER 12, 2013**

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director *SB*

DATE: November 8, 2013

SUBJECT: Establishment of Internal Service Fund No. 005 titled Administrative Fleet

**RECOMMENDATIONS**

Authorize the establishment of Internal Service Fund 005 titled Administrative Fleet

**BUDGETARY IMPACT**

None.

**BACKGROUND AND DISCUSSION**

The City recently purchased an administrative vehicle to be used by City Officials for approved City Business. Now that we have purchased the vehicle, we would like to establish a process for maintaining and replacement of the vehicle at the end of its useful life.

The recommended way to achieve this is to establish what is called an Internal Service Fund. Internal Service Funds are defined as follows: funds established to finance, administer, and account for departments or agencies of a government whose exclusive or nearly exclusive purpose is to provide goods or services (e.g. printing services) to the government's other departments on a cost-reimbursement basis.

Once established, the asset will be transferred to the new Fund. Each department using the vehicle will be charged .54 per mile which will be deposited into the Administrative Fleet Fund. Over time, the Fund will accumulate enough equity to pay for all servicing costs, and future replacement of the vehicle.

Attachments: Capitalization and Administrative Costs For Pool Car



CAPITALIZATION AND ADMINISTRATION COST FOR  
POOL CAR BASED ON 100,000 MILES  
October 15, 2013

<u>COST CENTER</u>		<u>NOTES</u>
1. PURCHASE PRICE-TOTAL	\$21,202	Includes registration & tax
2. Oil service	1,125	every 4,000 miles @ \$45 ea.
3. Tires	950	replace at 40,000 miles
4. Wheel alignment	750	annual @ \$75 ea.
5. Tune-up	400	every 100,000 miles
6. Wiper blades	200	every year @ \$20
7. Miscellaneous repairs	250	unforeseen repairs
8. Auto body repair	2,000	employee damage
9. Administration	6,000	\$50 for monthly accounting
10. Vehicle cleaning & servicing	6,000	\$50 monthly PW cleaning
11. Fuel	12,000	based on 35mpg @ \$4.25/gal
12. Vehicle replacement cost	4,298	10 year replacement @ \$25,500
13. Vehicle salvage value	<u>(1,000)</u>	used car value @ 100,000 miles
Total estimated cost of operation for 100,000 miles		\$54,175

\$54,175 @ 100,000 MILES = \$00.54/MILE

*Rio Dell City hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
riodellcity.com*



November 7, 2013

TO: Honorable Mayor and City Council Members

FROM: Jim Stretch, City Manager

SUBJECT: City Position on SB 405, phasing out of single use plastic bags.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Determine whether to take a position on SB 405 (Padilla) and whether to adopt the resolution offered for consideration, and
2. Give direction to staff about communicating that position to the author, the City's legislative representatives and the League of California Cities.

BACKGROUND AND DISCUSSION

On October 10, 2013 the City received a letter from State Senator Alex Padilla asking for support of Senate Bill 405 (SB 405 Padilla) which would phase out the use of single-use plastic bags in the state. Senator Padilla serves as the Chair of the Senate Energy, Utilities and Communications Committee, the policy committee in the Senate that heard the bill, amended it twice and passed it out of committee.

DIGEST

This bill would prohibit grocery stores and large retailers from providing single-use bags to customers beginning January 1, 2015. The ban expands to convenience stores, foodmarts and certain other stores on July 1, 2016.

EXISTING LAW

Existing law in-part provides that stores over 10,000 square feet that include a pharmacy, and supermarkets, must establish an at-store recycling program. Other major provisions are:

1. Plastic bag manufacturers must develop educational materials to encourage reducing and recycling of plastic bags and distribute that material in stores.
2. Cities and Counties may adopt local and enforce curbside or drop-off recycling programs.
3. Cities, Counties and the State are authorized to levy fines for stores in violation of the law.

4. The law defines a reuseable bag as a bag with handles and made of either cloth or durable plastic made of at least 2.25 mils thickness and designed for multiple uses.
5. Current law expires on January 1, 2020.

#### THIS BILL

1. Requires that a reuseable grocery bag (plastic, paper or cloth) after July 1, 2016 must be able to be used 125 times, be cleanable, have specific information visible on the bag and not contain certain materials like lead and heavy metals. The bag must be consistent with Federal regulation for recyclable bags.
2. Provides additional requirements for a reuseable plastic grocery bag, such as the ability to carry 22 pounds of contents for 175 feet.
3. Authorized the Department of Resources Recycling and Recovery (CalRecycle) to inspect and test bag producers and assess penalties for violations.
4. Prohibits a single –use carry-out bag (paper, plastic or other material) from being available at the point of sale.
5. Requires a store, after July 1, 2016, to make available reuseable grocery bags at point of sale.
6. Authorizes a store to make available a recycled paper bag for purchase at point of sale.
7. Requires a store to provide a customer participating in the California Supplemental Food Program for Women, Infants and Children to be provided with a reuseable grocery bag at no cost.
8. Authorizes a store to make a compostable grocery bag available for purchase.
9. Authorizes a City, County or State to impose and collect penalties for violations.
10. Preempts local agencies from adopting new ordinances related to reuseable or single-use or recycled bags after January 1, 2014.

#### CURRENT BILL STATUS

The bill passed out of the Senate policy committee and currently resides in the Senate Appropriations Committee. The bill did not pass the third reading on the Senate Floor and was referred back to committee, thus make it a 2 year bill. The estimated first year cost of the bill to the State is \$150,000.

#### SENATE STAFF ANALYSIS OF THE BILL

According to Senate Floor Analysis of the Bill as amended, plastic bags represent 2.2% of the waste stream, yet cost Californians \$25 million to dispose of 19 billion plastic bags annually. Although plastic represents a relatively small fraction of the overall waste stream, plastic waste is the predominate form of marine waste. Plastic are estimated to compose 60%-80% of all marine waste and 90% of all floating debris. According to the State Coastal Commission, the primary source of marine debris is urban runoff, of which lightweight plastics bags and plastic film are particularly susceptible.

Furthermore, CalRecycle reports that only 3% of single-use plastic bags in the State are actually recycled and the US-EPA reports that 88% of plastic bags and sacks nationwide are not recycled. It is stated that plastic bags take 1,000 years to degrade.

#### REUSEABLE BAGS CLAIMED NOT TO BE PERFECT

Opponents of the bill claim that reuseable grocery bags may have public health implications. For example, reuseable bags may harbor bacteria such as coliform bacteria, but washing the bags can eliminate 99.9% of the bacteria. However, a 2011 study (not cited) in California and Arizona showed that 97% of people did not wash their bags. In addition, a 2012 study by the University of Pennsylvania and George Mason University showed that emergency-room admissions related to E-coli infections increased in San Francisco after their single-bag use ban went in to effect. Similar effects have been reported in other local California jurisdictions that adopted similar ordinances.

#### AGENCIES THAT SUPPORT SB 405

Many agencies and organization have reported their support for SB 405, including California Coastal Coalition, California State Association of Counties, Humboldt County Board of Supervisors and the Humboldt Waste Management Authority.

#### AGENCIES IN OPPOSITION TO SB 405

Most of the opposition to SB 405 can be characterized as plastic bag producers, small grocery markets, bakeries and restaurants and the Mendocino Solid Waste Management Authority.

Included in the agenda packet is all of the materials sent to the City by the author, including his cover letter dated October 1, 2013, sample resolution for support of SB 405, list of supporters of the bill, Fact Sheet, and a copy of Senate Bill 405 as amended.

Senator Padilla has requested the support of the City of Rio Dell for the bill. The Council may direct staff to prepare a letter of support to be signed by the Chair or Vice Chair, a letter of opposition signed by the Chair or Vice Chair, decide to take no position or request the author to amend the bill as you see fit.

# California State Senate

ALEX PADILLA  
SENATOR, 20TH DISTRICT



October 1, 2013

City of Rio Dell  
Attn: City Council  
675 Wildwood Ave  
Rio Dell, CA 95562-1544

Dear Colleague,

I respectfully ask for your support of Senate Bill 405 which would phase out single-use plastic bags in California.

Each year in California, more than 13 billion single-use plastic bags are handed out by retailers. CalRecycle reports that only 3% of single-use plastic bags are actually recycled. The other 97% litter our streams, rivers and coastline, and endanger birds, marine life and wildlife. Plastic bags remain one of the top items found during annual beach cleanups.

Plastic bags also contribute to blight in our communities and clog local storm water systems. Because plastic bags take 1,000 years to degrade, their impacts are compounded every year. California local governments spend more than \$25 million each year to collect and bury plastic bag waste. And the plastic bags that do enter our recycling centers slow the sorting process and jam machinery.

Earlier this year, I introduced SB 405. This bill would enact a statewide phase out of single-use plastic bags in California. This legislation is supported by a broad coalition that includes grocers, environmentalists and many local governments.

Despite strong support, SB 405 fell 3 votes short of passage this year. I remain committed to this effort, but I need your help. SB 405 will face another vote early next year. Between now and then, I am respectfully asking you to put your city on record in support of SB 405. The City of Los Angeles took this step in June of this year and joined 80 other California cities and counties who support the phase out of single-use plastic bags in their communities.

Please join me in this effort. Attached, please find a sample resolution in support of SB 405, a copy of the bill, and a fact sheet with additional information. I look forward to working with you so that single-use plastic bags are soon phased out in our state.

Thank you for your time and consideration. Please feel free to contact me at (916) 651-4020 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Alex Padilla".

ALEX PADILLA  
State Senator, 20<sup>th</sup> District



## RESOLUTION

WHEREAS, each year in California more than 13 billion single-use plastic bags are handed out by retailers and only 3% of these bags are recycled; and

WHEREAS, plastic bags cause slow sorting and jam machinery at recycling centers costing California more than \$25 million dollars each year to collect and bury the plastic bag waste; and

WHEREAS, according to a study commissioned by the US Marine Debris Monitoring Program, plastic bags remain one of the top items found consistently during annual beach cleanups; and

WHEREAS, The Convention on Biological Diversity reports a total of 663 species have been affected by plastic marine pollution through entanglement or ingestion; and

WHEREAS, the United States Environmental Protection Agency finds that reducing the use of an item is one of the most effective ways to save our natural resources and protect the environment; and

WHEREAS, a third of Californians are subject to laws phasing out the use of single-use plastic bags; and

WHEREAS, State Senator Padilla has authored SB 405, which would prohibit grocery stores and large retailers from providing single-use bags to customers in 2015, and would expand that prohibition to convenience stores and food marts in 2016; and

WHEREAS, by prohibiting the free distribution of plastic bags, SB 405 would help eliminate a major source of pollution in California; and

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the \_\_\_\_\_ hereby SUPPORTS Senate Bill 405 (Padilla) that would prohibit grocery stores, large retailers, convenience stores, and food marts from providing free single-use plastic bags to consumers, and require those stores to have reusable bags available for purchase.

PRESENTED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

Green Vets Los Angeles  
GreenWaste Recovery  
Heal the Bay  
Humboldt County Board of Supervisors  
Humboldt Waste Management Authority  
LMV Productions  
Los Angeles County Board of Supervisors  
Los Angeles County Integrated Waste  
Management Task Force  
Napa Valley CanDo Environment Group  
National Hispanic Environmental Council  
Natural Resources Defense Council  
Pacifica's Environmental Family  
Planning and Conservation League  
Plasticbaglaws.org  
Republic Services  
Santa Clara County Board of Supervisors  
Save Our Shores  
Seventh Generation Advisors  
Sierra Club California  
Surfrider Foundation  
Team Marine – Santa Monica High School  
The Northern California Recycling Association  
Turtle Island Restoration Network  
United Food & Commercial Workers Western  
States Council  
William C. Velazquez Institute  
Zanker Road Resource Management

# Senator Alex Padilla

## Fact Sheet

### SB 405 – PADILLA Single-Use Bag Phase Out (as amended 05/24/13)

#### Summary

SB 405 would phase out single-use plastic bags in California grocery stores, convenience stores, liquor stores, and pharmacies.

#### Background

Each year in California, more than 13 billion single-use plastic bags are handed out by retailers. According to the United States Environmental Protection Agency, 88% of plastic bags and sacks are not recycled. In California, only 3% are recycled, according to CalRecycle. Plastic bags cause litter, slow sorting and jam machinery at recycling centers costing California more than \$25 million dollars each year to collect and bury the plastic bag waste. According to a study commissioned by the US Marine Debris Monitoring Program, plastic bags remain one of the top items found consistently during annual beach cleanups.

Plastic bags are also harmful to the environment killing thousands of birds, turtles and other species. Most plastics do not degrade. Although they represent only 2.2% of waste stream in California, plastic waste is the predominate form of marine debris. Plastics are estimated to compose 60-80% of all marine debris and 90% of all floating debris worldwide.

Plastics not only entangle marine life, they are also ingested by marine life and birds. Most plastic marine debris exists as small plastic particles due to excessive UV radiation exposure and subsequent photo-degradation. The Convention on Biological Diversity reports a total of 663 species have been affected by plastic marine pollution through entanglement or ingestion.

The California Coastal Commission reports that “birds, fish and mammals often mistake plastic for food. Some birds even feed it to their young. With plastic filling their stomachs, animals have a false feeling of being full, and may die of starvation. Sea turtles mistake plastic bags for jellyfish, one of their favorite foods. Even grey whales have been found dead with plastic bags and sheeting in their stomachs.”

The Scripps Institution of Oceanography at UC San Diego found evidence of plastic waste in more than 9% of the stomachs of fish collected in the North Pacific Subtropical Gyre and estimate that fish who reside in the intermediate ocean depths ingest 12,000- to 24,000 tons of plastic per year.

According to the United States Environmental Protection Agency, reducing the use of an item is one of the most effective ways to save our natural resources and protect the environment. To date, many local jurisdictions in California have enacted ordinances. The ordinances vary with some requiring a charge for paper carry-out bags and others banning both single-use plastic and paper

**FOR MORE INFORMATION** – Contact Angela Manetti, Office of Senator Alex Padilla (916) 651-4020



carryout bags. These ordinances have both eliminated the costs associated with plastic bags as well as substantially reduced the volume and costs associated with paper bags in communities.

For example, San Francisco, Los Angeles County, San Jose, and San Luis Obispo County are already experiencing the benefits of reducing the use of plastic bags. After just one year of implementation of its bag ordinance, the City of San Jose is reporting 50% cleaner creeks. Los Angeles County is reporting a 95% reduction of all single-use bags distributed, including a 30% reduction of paper bags.

### Existing Law

Section 42254 and 42257 of the Public Resources Code requires large grocery stores to establish a plastic bag recycling program and sunsets on January 1, 2020.

Current California law is silent on the reduction of single-use plastic bags.

### This Bill

This bill would:

- prohibit a store, on and after January 1, 2015, from providing a *single-use carryout bag* (i.e., paper, plastic, or other material) to a customer at the point-of-sale. (§42283(a))
- authorize a store, on and after July 1, 2016, to provide a *reusable grocery bag* (i.e., cloth or durable plastic) to a customer, which may be made available for purchase. (§42283(c)(1)).
- authorize a store to make a *recyclable paper bag* available for purchase at the point of sale. (§42283(d)).
- specifies standards for reusable grocery bags. (§42281)

- allows ordinances adopted prior to September 1, 2013 to continue to be enforced. (§42287 (b)).
- prohibits any local agency from enforcing an ordinance related to single-use carryout bags after January 1, 2014. (§42287 (b))
- allows local agencies to only amend the cost associated with the recyclable paper bag for existing ordinances (§42287 (c))
- authorizes the California Department of Resources, Recycling, and Recovery to inspect and audit a reusable bag producer. (§42282 (a)).

### Support

5 Gyres Institute  
Azul  
BagIt  
Board of Supervisors  
California Coastkeeper Alliance  
California Coastal Coalition  
California Resource Recovery Association  
California State Lands Commission  
Californians Against Waste  
Central Contra Costa County Solid Waste Authority  
City of El Cerrito  
City of Long Beach  
City of Palo Alto  
City of Sacramento  
City and County of San Francisco  
City of Sunnyvale  
City of San Francisco  
Clean Water Action  
Clean Water California  
Contra Costa Clean Water Program  
County of Los Angeles  
County of San Mateo  
Environment California  
Greater San Fernando Valley Chamber of Commerce  
Green Sangha

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- authorizes the California Department of Resources, Recycling, and Recovery to inspect and audit a reusable bag producer. (§42282 (a)).

### Support

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 City of Sunnyvale  
 City of San Francisco  
 Clean Water Action  
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 Contra Costa Clean Water Program  
 County of Los Angeles  
 County of San Mateo  
 Environment California  
 Greater San Fernando Valley Chamber of Commerce  
 Green Sangha

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AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 2, 2013

**SENATE BILL**

**No. 405**

**Introduced by Senator Padilla**  
**(Coauthor: Senator Leno)**

February 20, 2013

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An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of, and to repeal Section 42285 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 405, as amended, Padilla. Solid waste: single-use carryout bags. Existing law, until January 1, 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store.

With specified exceptions, this bill, as of January 1, 2015, would prohibit stores that have a specified amount of dollar sales or retail floor space from providing a single-use carryout bag to a customer. *The bill, on and after July 1, 2016, would additionally impose this prohibition on convenience food stores, foodmarts, and certain other specified stores.* The bill would require *all of* these stores to meet other specified requirements regarding providing recycled paper bags, compostable bags, or reusable grocery bags to customers.

~~The bill, on and after July 1, 2016, would additionally impose these prohibitions and requirements on convenience food stores, foodmarts, and certain other specified stores.~~

The bill would require a reusable grocery bag that a store is required to sell on and after July 1, 2016, to meet specified requirements. A

violation of that requirement and the requirements that would be imposed upon grocery bag producers to submit certain laboratory test results would be subject to an administrative civil penalty assessed by the Department of Resources Recycling and Recovery. The department would be required to deposit these penalties into the Reusable Bag Account, which would be created in the Integrated Waste Management Fund, for expenditure by the department, upon appropriation by the Legislature, to implement those requirements.

~~The bill would require the department, by January 1, 2017, to submit a report to the Legislature regarding the implementation of the bill's provisions. The bill would repeal this report requirement on January 1, 2018.~~

The bill would allow a city, county, or city and county, or the state to impose civil penalties for a violation of the bill's requirements. The bill would require these civil penalties to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action, and would allow the penalties collected by the Attorney General to be expended by the Attorney General, upon appropriation by the Legislature, to enforce the bill's provisions. The bill would provide that these remedies are not exclusive, as specified.

*The bill would declare that it occupies the whole field of the regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags and would prohibit a local public agency, on and after January 1, 2014, from enforcing or implementing an ordinance, resolution, regulation, or rule adopted on or after September 1, 2013, relating to those bags, unless expressly authorized. The bill would allow a local public agency that has adopted such an ordinance, resolution, regulation, or rule prior to September 1, 2013, to continue to enforce and implement that ordinance, resolution, regulation, or rule, but would require any amendments to that ordinance, resolution, regulation, or rule to be subject to state preemption.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5.3 (commencing with Section 42280)  
2 is added to Part 3 of Division 30 of the Public Resources Code, to  
3 read:

# CHAPTER 5.3. SINGLE-USE CARRYOUT BAGS

## Article 1. Definitions

42280. For purposes of this chapter, the following definitions shall apply:

(a) "Department" means the Department of Resources Recycling and Recovery.

(b) "Postconsumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

(c) "Recycled paper bag" means a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:

(1) (A) Except as provided in subparagraph (B), contains a minimum of 40 percent postconsumer recycled materials.

(B) An eight pound or smaller recycled paper bag shall contain a minimum of 20 percent postconsumer recycled material.

(2) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.

(3) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the minimum percentage of postconsumer content.

(d) "Reusable grocery bag" on and after July 1, 2016, means a bag that meets the requirements of Section 42281.

(e) "Reusable grocery bag producer" means a person or entity that does any of the following:

(1) Manufactures reusable grocery bags for sale or distribution to a store.

(2) Imports reusable grocery bags into this state, for sale or distribution to a store.

(3) Sells or distributes reusable bags to a store.

(f) (1) "Single-use carryout bag" means a bag made of plastic, paper, or other material that is provided by a store to a customer at the point of sale and that is not a recycled paper bag or a reusable grocery bag that meets the requirements of Section 42281.



(2) A single-use carryout bag does not include either of the following:

(A) A bag provided by a pharmacy pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code to a customer purchasing a prescription medication.

(B) A nonhandled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag or reusable grocery bag.

(g) "Store" means a retail establishment that meets any of the following requirements:

(1) A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and that sells a line of dry groceries, canned goods, or nonfood items, and some perishable items.

(2) Has at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.

(3) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

## Article 2. Reusable Grocery Bags

42281. (a) On and after July 1, 2016, a reusable grocery bag that is sold pursuant to subdivision (c) of Section ~~42282~~ 42283 shall meet all of the following requirements:

(1) (A) Be designed and manufactured to withstand, at a minimum, 125 uses.

(B) For purposes of this paragraph, "125 uses" means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet.

(2) Is machine washable or made from a material that can be cleaned and disinfected.

(3) Have printed on the bag, or on a tag attached to the bag that is not intended to be removed, and in a manner visible to the consumer the following information:

(A) The name of the manufacturer.

(B) The country where the bag was manufactured.

(C) A recycling symbol or end-of-life management instructions.

(D) The percentage of postconsumer recycled material, if any.

(4) Does not contain lead, cadmium, or any other heavy metal in toxic amounts. This requirement shall not affect any authority of the Department of Toxic Substances Control pursuant to Article 14 (commencing with Section 25251) of Chapter 6.5 of Division 20 of the Health and Safety Code and, notwithstanding subdivision (c) of Section 25257.1 of the Health and Safety Code, the reusable grocery bag shall not be considered as a product category already regulated or subject to regulation.

(5) Complies with Section 260.12 of Part 260 of Title 16 of the Code of Federal Regulations related to recyclable claims if the reusable grocery bag producer makes a claim that the reusable grocery bag is ~~recyclable~~ *recyclable*.

(b) In addition to the requirements in subdivision (a), a reusable grocery bag made from plastic shall meet all of the following requirements:

(1) On and after July 1, 2017, be made from a minimum of 20 percent postconsumer recycled material, except as provided in subdivision (d).

(2) In addition to the information required to be printed on the bag or on a tag, pursuant to paragraph (3) of subdivision (a), all of the following information shall be printed on the bag, or on a tag that complies with that paragraph:

(A) A statement that the bag is a reusable bag and designed for at least 125 uses.

(B) Instructions to return the bag to the store for recycling or to another appropriate recycling location.

(C) A plastic reusable grocery bag that also meets the specifications of the American Society of Testing and Materials (ASTM) Standard Specification for Compostable Plastics D6400, as published in September 2004, is not required to meet the requirements of paragraph (1) of subdivision (b), but shall be labeled in accordance with the applicable state law regarding compostable plastics.

(d) If a plastic reusable grocery bag producer is unable to obtain sufficient amounts of postconsumer recycled material to comply with this article because of unavailability, the producer shall include the greatest amount of postconsumer recycled material possible in the reusable grocery bag even if this amount is less than required by paragraph (1) of subdivision (b) and shall indicate the percentage that is postconsumer recycled material.

42282. (a) The department may inspect and audit a reusable grocery bag producer subject to this article with all costs associated with the audit being paid for by the reusable grocery bag producer.

(b) Upon request by the department, a reusable grocery bag producer shall submit laboratory test results from independent, accredited (ISO/IEC 17025) laboratories to the department validating the reusable grocery bag meets the requirements of Section 42281 for each type of reusable grocery bag that is manufactured, imported, sold, or distributed in the state and provided to a store for sale or distribution.

(c) The department may test any reusable grocery bag manufactured by a reusable grocery bag producer and provided to a store for sale or distribution for compliance with this article and the regulations adopted pursuant to this article.

(d) The department may enter into an agreement with other state entities that conduct inspections to provide necessary enforcement of this article.

(e) Notwithstanding Section 42285, a violation of this article shall be subject to an administrative civil penalty assessed by the department in an amount not to exceed five hundred dollars (\$500) for the first violation. A subsequent violation may be subject to an increased penalty of up to five hundred dollars (\$500) per violation, not to exceed five thousand dollars (\$5,000) per violation.

(f) The department shall deposit all penalties collected pursuant to subdivision (e) for a violation of this article into the Reusable Bag Account, which is hereby created in the Integrated Waste Management Fund. The moneys in the Reusable Bag Account shall be expended by the department, upon appropriation by the Legislature, to assist the department with its costs of implementing this article.

### Article 3. Single-Use Carryout Bags

42283. (a) On and after January 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not provide a single-use carryout bag to a customer at the point of sale.

(b) On and after July 1, 2016, a store, as defined in paragraph (3) of subdivision (g) of Section 42280, shall not provide a single-use carryout bag to a customer at the point of sale.

(c) (1) On and after July 1, 2016, a store shall make available for purchase by a customer reusable grocery bags that meet the requirements of Section 42281.

(2) On and after July 1, 2016, a store shall not sell or distribute a reusable bag at the point of sale that does not meet the requirements of Section 42281.

(d) A store may make available for purchase at the point of sale a recycled paper bag.

(e) Notwithstanding any other law, on and after January 1, 2015, a store shall provide a customer participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code and a customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the Welfare and Institutions Code with a reusable grocery bag or a recycled paper bag at no cost at the point of sale.

(f) Notwithstanding subdivisions (a) and (b), a store may make available for purchase at the point of sale a compostable bag that, at a minimum, meets the American Society for Testing and Materials (ASTM) Standard Specification for Compostable Plastics D6400, if, in the jurisdiction where the compostable bag is sold, both of the following requirements are met:

(1) A majority of the residential households in the jurisdiction have access to curbside collection of foodwaste for composting.

(2) The governing authority for the jurisdiction has voted to allow stores in the jurisdiction to sell to a consumer at the point of sale a compostable bag at a cost not less than the actual cost of the bags.



## Article 4. Reporting Requirements

42284. (a) On or before January 1, 2017, the department shall submit a report to the Legislature in accordance with Section 9795 of the Government Code regarding the effectiveness of this chapter and recommendations for statutory changes to increase effectiveness, which shall include all of the following:

- (1) A compilation of state cleanup data to evaluate pollution reduction;
- (2) Recommendations to further encourage the use of reusable grocery bags by customers and stores;
- (3) An evaluation of the requirements for reusable grocery bags specified in Section 42281;
- (4) Distribution of recycled paper bags;
- (5) Number and type of violations;
- (b) The department shall coordinate with other state and local agencies in compiling this report to maximize existing efforts and resources in the areas of litter reduction, water quality, and environmental protection;
- (c) Pursuant to Section 110231.5 of the Government Code, this section is repeated on January 1, 2018.

## Article 5. Enforcement

## Article 4. Enforcement

42285. (a) A city, a county, a city and county, or the state may impose civil liability in the amount of five hundred dollars (\$500) for the first violation of this chapter, one thousand dollars (\$1,000) for the second violation, and two thousand dollars (\$2,000) for the third and subsequent violations.

(b) Any civil penalties collected pursuant to subdivision (a) shall be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action. The penalties collected pursuant to this section by the Attorney General may be expended by the Attorney General, upon appropriation by the Legislature, to enforce this chapter.

(c) The remedies provided by this section shall not be exclusive and shall be in addition to the remedies that may be available

pursuant to Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code.

## Article 5. Preemption

42287. (a) Except as provided in subdivision (c), this chapter is a matter of statewide interest and concern and is applicable uniformly throughout the state. Accordingly, this chapter occupies the whole field of regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags, as defined in this chapter.

(b) On and after January 1, 2014, a city, county, or other local public agency shall not enforce against a store, as defined in subdivision (g) of Section 42280, or otherwise implement, an ordinance, resolution, regulation, or rule adopted on or after September 1, 2013, relating to reusable grocery bags, single-use carryout bags, or recycled paper bags, as defined in this chapter, unless expressly authorized by this chapter.

(c) A city, county, or other local public agency that has adopted, prior to September 1, 2013, an ordinance, resolution, regulation, or rule relating to reusable grocery bags, single-use carryout bags, or recycled paper bags may continue to enforce and implement that ordinance, resolution, regulation, or rule that was in effect before that date. Any amendments to that ordinance, resolution, regulation, or rule on or after January 1, 2014, shall be subject to subdivision (b), except a city, county, or other local public agency may amend that ordinance, resolution, regulation, or rule with regard to the amount that a store shall charge with regard to a recycled paper bag.

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November 7, 2013

TO: Honorable Mayor and City Council Members

FROM: Jim Stretch, City Manager

SUBJECT: Conceptual Approval for Contracting with HWMA for Recycling Program Administration

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve in concept contracting with Humboldt Waste Management Authority for the administration and reporting of Rio Dell's recycling programs.

BACKGROUND AND DISCUSSION

The City Manager inherited the administration and reporting requirements for the City's state mandated recycling programs about 6 months ago. It's a great program, but it requires time to plan program activities and even more time to comply with the required reporting requirements. In addition, the mandated program elements are changing and the California Department administering the programs, CalRecycle, is becoming more assertive, as evidenced by a recent site visit by the Sacramento staff. In short, the City Manager does not have the time to do what needs to be done.

Staff has been in discussion with the Executive Director of the Humboldt Waste Management Authority (HWMA) over the last 2 months to determine the feasibility of their providing this service to the City. Both the HWMA staff and the Rio Dell City Manager now believe that the service is feasibility and will be of mutual benefit to both organizations. And, recycling funds in the amount of \$10,000 is available to fund the program. There is no City General Fund monies required for the program.

Progress on a program outline has been developed as follows:

1. Administer beverage Container Grant Program (CalRecycle).
2. Administer AB 939 programs i.e. diversion and collection reports
3. Administer AB 341 program concerning mandatory recycling requirements for certain multi-family units and commercial businesses.
4. Coordinate and conduct community outreach programs about recycling
5. Coordinate and conduct annual electronic waste collection event



6. Administer other programs, such as a “sharps” container program and household battery collect containers.
7. Administer the Used Oil Grant program funded by CalRecycle.
8. Administer the Waste Tire Grant program for the region.

Before proceeding any further, the Council is requested to approve the draft program and contractual relationship in concept. With Council approval, staff will finalize the program details with HWMA and develop the necessary agreement.

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November 7, 2013

TO: Honorable Mayor and City Council Members

FROM: Jim Stretch, City Manager

SUBJECT: Direction on City Manager Recruitment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide the City Manager direction as to the recruitment of a replacement Rio Dell City Manager, effective May 21, 2014 or there abouts.

BACKGROUND AND DISCUSSION

There is approximately 6 months remaining on my present (City Manager) employment contract, at which time I intend to retire. In the beginning, I promised the City Council that I would assist in the recruitment of a replacement if the Council desired. Experience has shown that such recruitment can take that length of time for the entire process, with perhaps a short period for overlap with the new City Manager.

The question to the Council is whether you would like me to either 1). Continue to work on the priority items on the City Manager's work plan and hire a professional recruiter, or 2). make the recruitment and hiring of a qualified candidate my highest priority at this time and reprioritize the work plan with the Council to defer some items. ***Please discuss and give direction.***

Without regard to a decision on items #1 and #2 about, here are some thoughts on the recruitment:

1. The City Manager recruitment should be for a full time professional with minimum qualifications and preferences as set forth in the present job description.
2. Cooperative Personnel Services will conduct a salary and benefit survey of comparable agencies for the position.
3. Multi-color recruitment flyer will be developed and circulated
4. Begin immediately to conduct the recruitment in Jobs Available, a specialized recruitment listing of management level positions in government used extensively in California and other states.
5. Advertise in the Times Standard and on City website.
6. Advertise in the League of California Cities publication.

7. Some Cities appoint 1 or 2 of its members to work with the City Manager in screening resumes and working on recruitment details that may arise between Council meetings.
8. Advertise that the present salary is \$108,659, but note that it is currently under review and negotiable.
9. Advertise that the City presently contributes to an ICMA 457 (b) plan for its employees, and has an actuarial review underway by CalPERS for retirement benefit options.
10. City to pay vehicle mileage or air fare, whatever is less, for candidates invited to interview, including per/diem while in transit.
11. City to contract for professional background review of top candidate.

The 2013-14 City budget includes \$18,250 for all of the recruitment expenses mentioned above.

After the discussion with the Council and direction as appropriate, a time line for the process will be developed and offered for approval.

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E-mail: [cm@riodellcity.com](mailto:cm@riodellcity.com)



November 7, 2013

TO: Honorable Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Authorization to evaluate enrolling in the California Public Employees Retirement System (CalPERS)

IT IS RECOMMENDED THAT THE RIO DELL CITY COUNCIL:

Authorize the City Manager to once again evaluate the costs and benefits of contracting with CalPERS for employee retirement benefits, including the conduct of an actuarial evaluation at a cost of approximately \$2,000, and report back to the Council.

BACKGROUND AND DISCUSSION

In 2010 the City agreed with the Rio Dell Police Officer's Association and General Employees Association to study the feasibility of enrolling in CalPERS for employee retirement benefits. The actuarial analysis was conducted for each unit and the results were presented to the Council. The results looked favorable at that time, but the CalPERS Actuary advised the City that their investment portfolio had just experienced significant losses in the market place and that it was foreseeable that rates would increase substantially. Based on that admonition, the City Council elected not to contract with CalPERS for retirement benefits and simply continued the existing ICMA 457 (b) retirement plan for employees.

Since that time the CalPERS rates increases stabilized, their investment portfolio is again earning a good return and new plans have been developed that provide reduced benefits and costs. It may be to the City's benefit to review the options and costs again.

There are two (2) other major reasons to take a new look at CalPERS retirement plans and they are:

1. Employee Recruitments

2. New Memorandums of Understanding (MOU) with employee Associations and contract employees are due to be finalized and effective July 1, 2014.

With regard to item #1, most California public agencies have contracts with CalPERS for employee retirement benefits and that system is transferrable between contract agencies. So an employee can work for any number of agencies and continue to build on their retirement plan. In most cases, a person looking for professional advancement during their career with another California agency will have little interest in a non-CalPERS agency and will not even apply.

Rio Dell pays a competitive wage for an agency of its size, but we have been unsuccessful lately in attracting professional level candidates and the CalPERS benefit piece may be the reason. The ability to attract qualified candidates in the upcoming recruitment for City Manager will undoubtedly be limited by this single factor.

Item #2 above is mentioned because the employees identified this benefit in 2010 as a priority in their negotiations and all MOU's and employee agreements are up for renewal July 1, 2014. It would be to our mutual benefit to have the costs and benefits identified for the CalPERS program as we go into those negotiations, which is not to say that that City will implement a retirement change.

At this time staff has conducted no information gathering nor made any contact with CalPERS on this subject. The cost of \$2,000 to have them conduct the actuarial evaluation is an estimate. Whatever the cost, it will be charged to the City Manager's budget.

Authorization is requested for the City Manager to contact CalPERS and request an evaluation of the costs and benefits of enrolling in CalPERS, including asking for an actuarial evaluation at a cost of approximately \$2,000. The City Manager will report back to the Council.

There are a number of specific resolutions and agreements to be process by the City Council in order to get the process going. If the Council adopts the recommendation, staff will contact CalPERS and they will send us a packet of documents.

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**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
NOVEMBER 7, 2013**

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director and Rick Chicora, Wastewater Superintendent *SB*

DATE: November 4, 2013

SUBJECT: PCO on the Wastewater Treatment Plant Upgrade and Effluent Disposal Project (WWTP)

**RECOMMENDATIONS**

Staff will provide a recommendation at the Council Meeting.

**BUDGETARY IMPACT**

Staff will provide the budgetary impact at the Council meeting.

**BACKGROUND AND DISCUSSION**

Because of the timing of the contractors paving work at the corporation yard, this item is still in process. Staffs have observed a potential drainage concern at the plant in need of review prior to the arrival of the paving contractor. The current pavement plan at the yard includes an asphalt overlay over an existing v-ditch. The v-ditch allows for rain water to flow through the paved area to a drain that sends the water back through the plant. The existing v-ditch is cracked and crumbling. There is concern that if paved over directly, it will degrade very quickly; lasting at most 3-5 years.

We basically have two other options: One is to take out all the degraded asphalt and reconstruct a new asphalt v- ditch, which we expect to last approximately 15 years; the second alternative is to remove all of the degraded asphalt and construct a concrete v-ditch that will last approximately 50 years. Both proposals would include paving the driveway into the plant, and an asphalt curb to enhance the drainage, and direct the water to the new v-ditch.

The contractor is in the process of preparing potential change orders and pricing for the Council's consideration.



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November 12, 2013

TO: Honorable Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Amend City Council meeting provision on Election Day

IT IS RECOMMENDED THAT THE RIO DELL CITY COUNCIL:

Provide staff direction to draft an amendment to Rio Dell Municipal Code Chapter 2.05 (Council Meetings), section 2.05.070 (Holidays) to delete any reference to rescheduling a Council meeting if it occurs on an election day.

BACKGROUND AND DISCUSSION

Rio Dell Municipal Code (section 2.05.070-- Holidays) provides that, if a Council meeting falls on a holiday or election, the meeting shall be held on the following Thursday. This provision dates back to 1965 when the City was incorporated. Accordingly, the November 5, 2013 Council meeting was rescheduled for 11-7-13 even though there were no City issues or officials on the ballot. The 11-7-13 Council meeting was cancelled due to the lack of a quorum.

Analytically, staff does not believe that the automatic rescheduling of a regular Council meeting because of an election serves any public purpose, given the fact that polls are open from 7:00AM to 8:00PM and absentee ballots are easily available. Accordingly, if the Council concurs, it is proposed that section 2.05.070 be amended as follows:

**2.05.070 Holidays**

In the event that the first or third Tuesday of any month falls on a legal holiday or ~~election day~~, the meeting shall be held on the following Thursday, at the same place and at the same hour.

Staff requests Council direction on this amendment.